

APPLICATION NO	PA/2009/0703
APPLICANT	Mr J Scott
DEVELOPMENT	Planning permission to erect one pair of semi-detached houses
LOCATION	Garage site adjacent to 12 Edinburgh Road, Keadby
PARISH	KEADBY/ALTHORPE
WARD	Axholme North
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Applicant request to address the committee
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: Policy H1 relates to the distribution of additional housing in the region.</p> <p>North Lincolnshire Local Plan: The site is situated within the development boundary for Keadby (policy ST3) which is identified as a minimum growth settlement (policy ST2).</p> <p>Policy H5 (New Housing Development) sets out criteria against which new housing development should be judged.</p> <p>Policy LC11 – the site is identified within an area of amenity importance.</p> <p>Policies H3 (Previously Used Land), H8 (Housing Mix and Design) and DS1 (General Requirements) also apply.</p>
CONSULTATIONS	<p>Highways: No objection subject to conditions.</p> <p>Environment Agency: Object because the application site lies within flood zone 3a where there is a high probability of flooding and inadequate information has been received to confirm that it passes the exception test.</p>
PARISH COUNCIL	No objections.
PUBLICITY	Neighbouring properties have been notified and a site notice posted. No representations have been received.

ASSESSMENT

Planning permission is being sought to erect a pair of semi-detached houses on a parcel of land on the east side of Edinburgh Road which was formerly occupied by a row of garages. A previous application (PA/2008/0042) was refused planning permission under delegated powers in May 2008 for flood risk reasons because the proposal failed to comply with PPS25 (Development and Flood Risk) and demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk.

The main issue to consider in determining this application is whether the revised flood risk assessment addresses and overcomes the shortcomings of the previous submission.

The Environment Agency's objection focuses on the fact that the flood risk assessment (FRA) fails to meet the requirements of the flood risk exception test notwithstanding the measures which the applicant has put forward. Planning Policy Statement 25 (PPS25) requires all elements of the test to be passed for development to be permitted. The test requires the applicant to demonstrate that the development will be safe without flood risk elsewhere and where possible reduce flood risk overall.

The application site lies within flood zone 3a as defined by PPS25 as having a high probability of flooding. Development classified as 'more vulnerable' is only appropriate in these areas following application of the sequential test where the exception test has been applied in full and has been passed. In this case it is considered that the submitted flood risk assessment fails to demonstrate that development will be safe. The site is situated about 190 metres from the flood defence. It is accepted that the site is adequately defended from a 1:200 year event but the FRA is required by PPS25 to consider the potential on-site effects of a breach and failure in flood defences. It is acknowledged that velocities and depths may vary from site to site and similar applications have been submitted in the area. However, these have, through a breach analysis, shown their sites to be within the 'Danger for all' category of DEFRA's document FD2320 Flood Risk Assessment Evidence for new development. Therefore, these other sites have been considered unsuitable for residential development and if a breach analysis was undertaken for this development it is likely to produce the same result.

RECOMMENDATION**Refuse permission for the following reasons:**

The proposed development is classified as 'more vulnerable' in Table D2 of Planning Policy Statement 25 (PPS25) and the site is within Zone 3a 'High probability' of the Environment Agency's flood maps where such development should only be allowed where it passes a sequential test and an exception test. The application fails to demonstrate that the exception test has been passed and would provide wider sustainability benefits to the community that outweigh flood risk. Accordingly the proposal is contrary to policy DS16 of the North Lincolnshire Local Plan and the requirements of PPS25.



Drawing Title: 2009/0703

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Highways and Planning Service

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