

<b>APPLICATION NO</b>	<b>PA/2010/0037</b>
<b>APPLICANT</b>	Mr D Amys
<b>DEVELOPMENT</b>	Planning permission to erect a detached dwelling (resubmission of PA/2009/0981)
<b>LOCATION</b>	Rear of Pear Tree Farm, Johnsons Lane, Crowle
<b>PARISH</b>	<b>CROWLE</b>
<b>WARD</b>	Axholme North
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Agent request to address the committee

## **POLICIES**

**Planning Policy Statement 25 (Development and Flood Risk):** Development within Flood Risk Zone 3a 'high probability' shall be assessed against the sequential and exception tests to decide whether the site is suitable for more vulnerable development such as a new dwelling. A PPS25 compliant Flood Risk Assessment should be submitted to demonstrate that the proposed development is safe from flooding without increasing flood risk elsewhere.

**Regional Spatial Strategy for Yorkshire and the Humber:** Policy H1 (Provision and Distribution of Housing) states that the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes, and greater emphasis should be placed on meeting local needs in rural areas.

**North Lincolnshire Local Plan:** Policy H5 (New Housing Development) states that development should be in keeping with the scale and character of the settlement and the scale, layout, height and materials of construction should be in keeping and compatible with the character and amenity of the immediate environment. Provision should be made within the curtilage of each dwelling for an area of private amenity space.

Policy H8 (Housing Mix and Design) applies and states that new residential development will be permitted provided that it respects and reflects the form, scale, massing, design, detailing and materials of the local environment.

Policies DS16 (Flood Risk), ST2 (Settlement Hierarchy), H1 (Housing Development Hierarchy), DS1 (General Requirements) and DS16 (Flood Risk) also apply.

## **CONSULTATIONS**

**Highways:** Advise conditions: no loose material to be deposited within 10 metres of the highway, the dwelling not to be occupied until the parking and turning spaces are completed, and the private driveway to be completed to an agreed standard.

**Severn Trent Water Ltd:** Advise a condition requiring details of the method of drainage disposal to be agreed prior to any development taking place.

**Environment Agency:** Object to the proposal on the grounds that there is no evidence to demonstrate that the development has passed the flood risk sequential test.

## **PARISH COUNCIL**

Object on the grounds that the proposed dwelling constitutes tandem development and there are issues with access and egress from the site.

## **PUBLICITY**

Neighbouring properties have been notified and one letter of support has been received. Six letters of support signed by adjacent property owners were submitted with the application.

## **ASSESSMENT**

The application site is occupied by a large barn which is sited to the rear of Pear Tree Farm. The site is accessed via a track off Johnsons Lane to the north; the track also serves the applicant's existing property (5 Johnsons Lane) which is a large, modern detached dwelling located to the west. The existing barn was granted permission for conversion to residential use in 2005 (PA/2005/1144).

**The main issue in determining this application is whether the proposed development passes the sequential and exceptions tests of PPS25.**

The sequential test in PPS25 is applied to development in flood risk areas to identify whether there are any other sites within the same settlement that are at less risk of flooding, are developable and could reasonably accommodate a new dwelling. The flood risk assessment submitted with the planning application states that the proposed dwelling meets the sequential test of PPS25. The justification for making this statement is that the proposed dwelling would replace the barn conversion that was previously granted planning permission at the site, meaning that alternative sites need not be considered. The reason for proposing the dwelling is that the barn is too expensive to convert, but could be demolished to allow a new dwelling to be built in its place. The local planning authority therefore considers that the residential conversion of the barn has not taken place and a new dwelling is required in its place. In light of this the proposed development fails the sequential test of PPS25 as there are sites within the settlement of Crowle that are at lesser risk of flooding and available to reasonably accommodate a new dwelling.

Additionally, had the development passed the sequential test, it would still be subject to the exceptions test as set out in PPS25. The exceptions test is applied to development in flood risk areas to identify whether the development would provide wider sustainability benefits to the community that outweigh the flood risk and should ensure that the flood risk assessment demonstrates that the development would be safe, without increasing flood risk elsewhere, and, where possible, would reduce flood risk overall. The proposed development would fail the exceptions test of PPS25 as a new dwelling on the site would provide no wider community benefit to outweigh the risk of flooding.

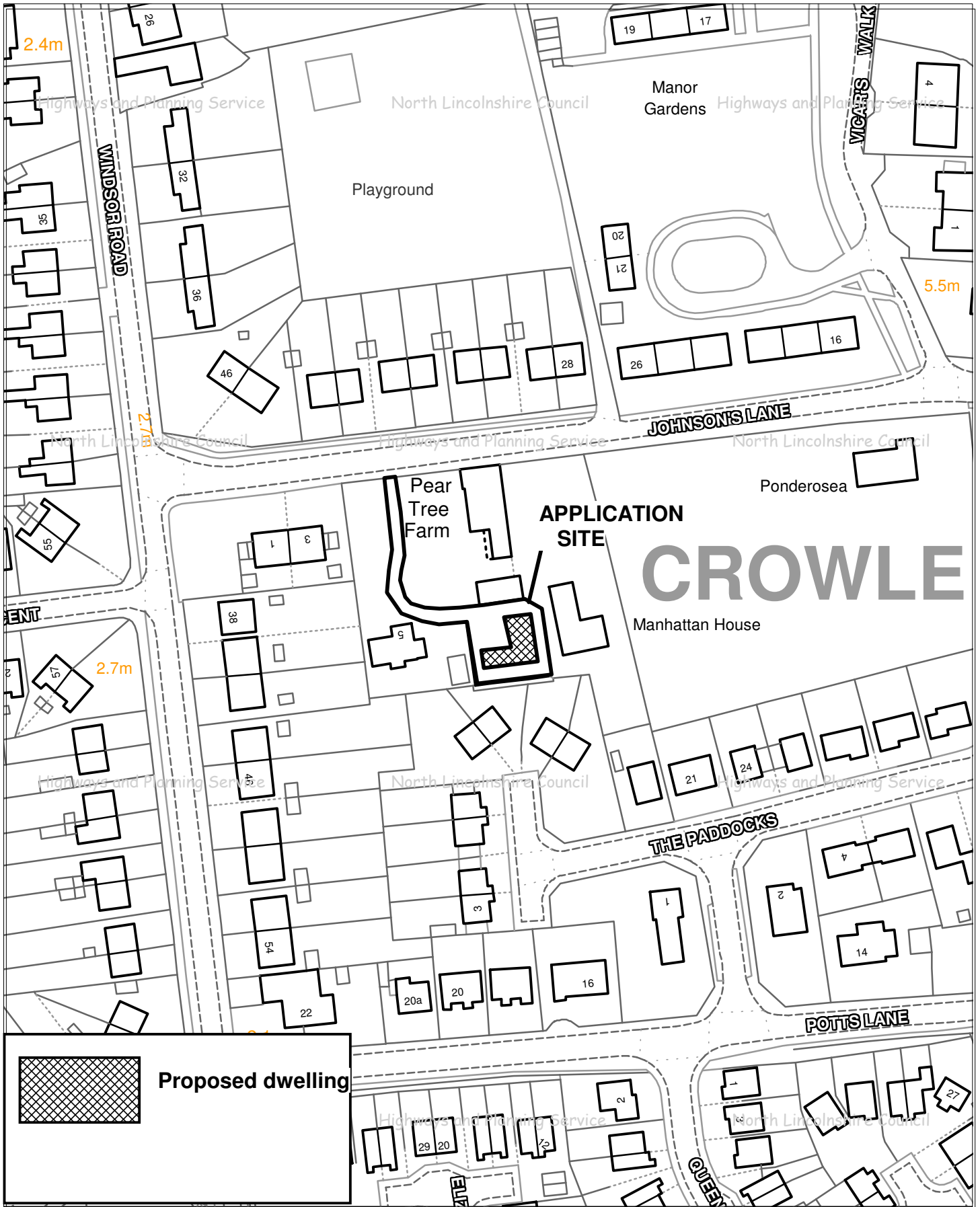
**RECOMMENDATION      Refuse permission for the following reasons:**

1.

The proposed development is classified as 'highly vulnerable' in Table D2 of PPS25 and the site is located within Zone 3ii as defined on the Strategic Flood Risk Assessment for North Lincolnshire. The development will only be allowed where it passes a sequential and an exceptions test. It is considered that there are alternative sites in Crowle for residential development which are located in a lower flood risk zone. The proposal therefore fails the sequential test. The proposal also fails the exceptions test as it would not provide wider sustainability benefits to the community that outweigh the flood risk. The proposal is therefore contrary to policy DS16 of the North Lincolnshire Local Plan and advice given in PPS25.

2.

The proposed detached dwelling will result in loss of amenity to the occupiers of 13 and 15 The Paddocks through overlooking into the rear private amenity space from the first floor bedroom windows in its southern elevation. The proposed development is therefore contrary to policies H5, H8 and DS1 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**

Service Director,  
G Popple

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