

APPLICATION NO	PA/2011/0661
APPLICANT	Mr K Harrison
DEVELOPMENT	Planning permission to erect two detached dwellings with detached garages
LOCATION	Fern Cottage, Station Road, Garthorpe
PARISH	GARTHORPE/FOCKERBY
WARD	Axholme North
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Barker – supports the application)

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) sets out the standards of design for all new developments.

Policy DS16 (Flood Risk) states that development will not be permitted within floodplains if it would cause an increase in flooding on the site or elsewhere, or it would increase the number of people or buildings at risk of flooding.

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire) and CS7 (Overall Housing Provision) apply.

Other relevant guidance: Planning Policy Statement (PPS) 25 (Development and flood risk).

CONSULTATIONS

Highways: No objection subject to conditions.

Severn Trent Water Ltd: No objections.

Isle of Axholme Drainage Board: Point out that the site is in an area where drainage problems exist and development should not be allowed until the authority is satisfied that surface water drainage has been satisfactorily provided for.

Environment Agency: Object. The application fails to meet the requirements of part (c) of the flood risk exceptions test.

PARISH COUNCIL

No objections.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. No comments have been received.

ASSESSMENT

Planning permission is sought to erect two detached four-bedroom houses with detached garages on an infill site within the main body of the village between Station Road and High Street. Vehicular access to both dwellings would be gained from Station Road.

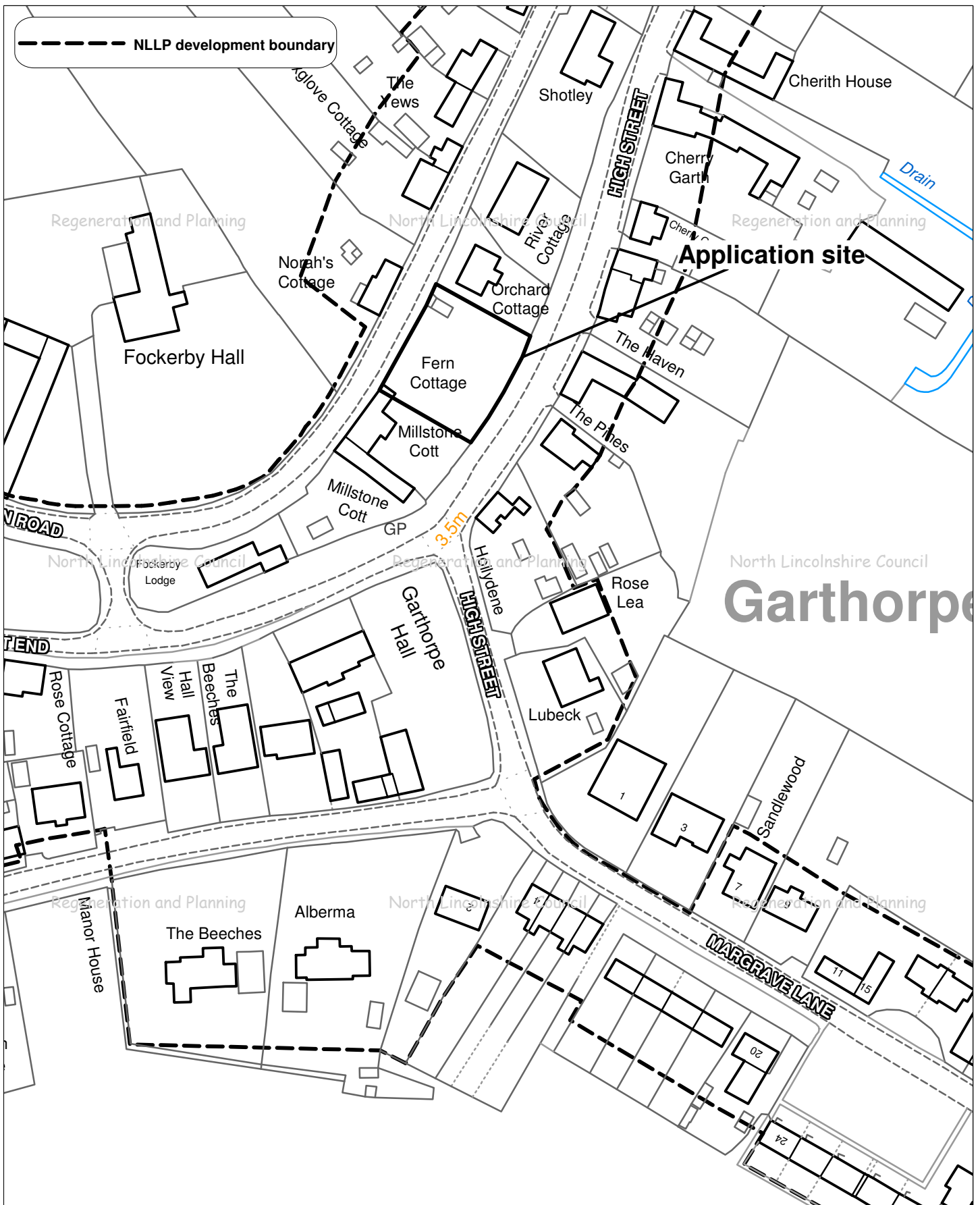
The main issue which needs to be addressed in determining this application is whether the proposed development would meet the sequential and exception tests required by PPS25.

In 2007 PA/2007/1020 was approved for an identical development but it was determined before PPS25 came into force. This permission lapsed in March 2010.

The site is located within flood zone 3a as detailed on the Environment Agency's flood zone maps and defined by PPS25, where there is a high risk of flooding. The Environment Agency has objected to the proposal in the absence of sequential and exception tests being applied. Although the proposal may pass the sequential test because there are no areas available within the settlement with a lower risk of flooding, the exception test (which is an integral part of the sequential test) must also be passed. In order to achieve this the development must provide wider community benefits that outweigh the flood risks from allowing development in a high risk zone. It is not possible in this instance to argue that the development provides any wider community benefits and the test is failed. The applicant was advised that if one of the dwellings was made affordable then any forthcoming application would have a greater chance of success – all indications are that this suggestion has been ignored by the applicant.

RECOMMENDATION Refuse permission for the following reasons:

The site is located within flood zone 3a and therefore has a high probability of flooding. The exceptions test set out in Planning Policy Statement (PPS) 25: Development and Flood Risk cannot be passed in this case as it has not been demonstrated to the local planning authority, through the submitted flood risk assessment, that the development will be safe, without increasing flood risk elsewhere and where possible will reduce flood risk overall. The proposal is therefore contrary to PPS 25 and policy DS16 of the North Lincolnshire Local Plan.



Drawing Title: 2011/0661

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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

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