

APPLICATION NO	PA/2020/454
APPLICANT	Mr & Mrs Duncan Sharp
DEVELOPMENT	Outline planning permission to erect a detached dormer bungalow with appearance, landscaping, layout and scale reserved for subsequent consideration (re-submission of PA/2019/789)
LOCATION	Land adjacent to The Engine House, Crowle Bank Road, Althorpe, DN17 3HZ
PARISH	Keadby with Althorpe
WARD	Axholme North
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan: Policies H5, H8, RD2, T1, T2, T19, LC14, DS1, DS7, DS14 and DS16 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS17, CS18 and CS19 apply.

CONSULTATIONS

Highways: No objection subject to conditions.

Environment Agency: The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) in relation to flood risk if a planning condition is included in relation to finished floor levels, flood resilience measures and that the development carried out in accordance with the submitted flood risk assessment. In addition, in accordance with the NPPF (paragraph 158), the development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine whether the sequential test is passed.

Drainage (Lead Local Flood Authority): No objection subject to conditions in relation to surface water run-off.

Severn Trent Water: No response.

Yorkshire Water: No response.

Environmental Protection: No objection subject to a contamination condition.

Historic Environment Record: No objection. The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (Local Plan Policy LC14). It is located within the Recent Enclosed Land zone, well outside the core historic landscape character. The nature and scale of this proposal would therefore not adversely affect the character of the landscape heritage asset or its setting at this location.

Ecology: No objection subject to biodiversity conditions.

PARISH COUNCIL

Supports the application.

PUBLICITY

The proposal has been advertised by site and press notices. No responses have been received.

ASSESSMENT

The proposal

This is an outline application to erect a dormer bungalow. Appearance, landscaping, layout and scale are all reserved for subsequent consideration. The access forms part of this application and is from Crowle Bank Road; it will be shared between the existing dwelling (Engine House) and the proposed dwelling. The site is located in flood zone 2/3a of the council's SFRA and is therefore at high risk of flooding. It is also within the LC14 Area of Special Historic Landscape Interest. The site is bounded by a farm to the south, residential properties to the east and garden/allotments to the north and west. There is a domestic garage on the site; part of the site is grassed and part is covered with a hard standing area. The site forms part of the side garden to Engine House.

A previous application (PA/2019/789) was refused on policy grounds in December 2019 as the majority of the site lies outside the development limit of Althorpe and on flood risk grounds. That decision is appended to this report.

The main issues associated with this proposal are whether the principle of development in this location is acceptable, and if so, whether the impacts on the highway, ecology, drainage, flooding, trees, archaeology, the amenity of neighbours, the amenity of the locality (including the LC14 area), and on existing services and utilities are all acceptable. It must also be determined if the reasons for refusal of PA/2019/789 have been overcome by this new application.

Principle

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007; the North Lincolnshire Core Strategy DPD (2011) (CS); and the Housing and Employment Land Allocations DPD (2016) (HELAP). Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is primarily located outside the designated development limit for Althorpe (apart from the access). LP saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains part of the development plan, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The aforementioned policies are aimed at focussing housing within settlement limits as defined in the HELAP. The application site is primarily outside the defined development boundary for Althorpe (apart from the access) and is therefore in breach of policies CS2, CS3 and CS8 of the CS and RD2 of the LP.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, the most important policies which guide the supply of housing should not be considered up-to-date.

A recent Supreme Court judgement (Suffolk Coastal DC v Hopkins Homes Ltd [2017] UKSC 37) provides clarity on the policies which are considered ‘relevant policies’ for the supply of housing. These do not include general restrictive policies such as those restricting development in the open countryside. As such, policies RD2 and CS3 are considered up-to-date. However, the weight to be afforded to them needs to be balanced against the need to deliver new housing and the broader merits of the scheme when viewed in the context of sustainable development.

A recent review of the Five Year Housing Land Position Statement has identified that the council’s housing land supply has reduced from five years and six dwellings, to four years. The council has prepared a Housing Delivery Action Plan in accordance with the NPPF and PPG. The Action Plan will assist in securing a five-year land supply; some of the actions include reviewing the windfall allowance calculation, and working with developers to bring forward outline planning applications.

This statement confirms that North Lincolnshire Council does not currently have a five-year supply of deliverable housing sites. The consequence of this shortfall is to demonstrate that current policies are failing to deliver a five-year supply of housing in accordance with paragraph 11 (footnote 7) of the NPPF and they are, therefore, failing to meet short-term housing needs. As such it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly, the operation of paragraph 11 of NPPF triggers a tilted balance whereby there is a presumption in favour of sustainable development and development proposals should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits (paragraph 11, b, ii).

The NPPF identifies that there are three overarching objectives to sustainable development: economic, social and environmental objectives (paragraph 8). The NPPF is clear that these objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

In this case, in terms of the economic objective, the proposal will provide some employment during construction. The occupiers of the dwelling would provide limited support to the settlement of Althorpe in terms of using the services located within Althorpe.

In terms of social sustainability, part of the site is located within the development boundary of Althorpe and the other area of the site adjoins the development boundary for Althorpe. The proposed development would be viewed as an extension to the existing development along Crowle Bank Road. There is a footpath linking the site to the adjacent bus stop and to the central area of Althorpe. The proposal would increase the council’s housing land supply.

In terms of the environmental objective, biodiversity enhancements would be achieved through appropriate surveys, planting and landscaping. A further offset is that the scheme would include SuDs techniques that would improve the environmental sustainability of the scheme. Part of the site has a building and hardstanding areas on it. The proposal will improve the visual appearance of this area of the site. These are the benefits of the scheme.

In determining the sustainability of the proposed development, an assessment is required, not only on principle, but also on the technical elements of the proposal as to whether any

adverse impacts exist that would significantly and demonstrably outweigh the benefits of the proposal.

Flood risk

The application site is located within flood zone 2/3a as defined in the North Lincolnshire Strategic Flood Risk Assessment (SFRA), this is the highest level of flood risk. The proposal is for the introduction of a ‘more vulnerable’ use within a high flood risk zone, this requires the sequential and exceptions test to be applied and passed as set out in the National Planning Practice Guidance.

A Flood Risk Assessment (FRA) has been submitted with the planning application and no objections have been received from the Environment Agency subject to a proposed planning condition. The sequential and exceptions tests set out in the NPPF have both to be passed in order for the development to be considered acceptable in terms of flood risk.

In terms of the sequential test, some of the site is located within the development boundary for Althorpe, the remainder being located adjacent to it. All of Althorpe and the surrounding area is located within flood zone 2/3a and therefore, both within the development boundary for Althorpe and beyond, there are no available sites in a lower flood risk zone. Hence, there are no available sites for one dwelling within or adjacent to Althorpe at a lower risk of flooding. The sequential test is therefore passed in this case. In terms of the exceptions test, the Environment Agency considers the submitted Flood Risk Assessment to be acceptable and has no objections to the proposal subject to a condition which will be imposed on any planning permission. In terms of the wider community benefits, the erection of one market dwelling will provide a modest contribution to the council’s five year land supply and the dwelling will support the settlement of Althorpe. The site developed for one dwelling will improve its visual appearance. The proposal therefore accords with chapter 14 of the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

Drainage

In terms of drainage, no objections have been received from the LLFA subject to conditions in relation to surface water. These conditions will be imposed on any planning permission. The proposal therefore accords with chapter 14 of the NPPF, policies CS18 and CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

Highways

Highways have raised no objections to the proposal subject to conditions in relation to access and car parking for the dwelling. These conditions will be imposed on any planning permission. In highway terms, the proposal is considered to be acceptable and accords with policies DS1, T2 and T19 of the North Lincolnshire Local Plan.

Residential amenity

In terms of residential amenity, it is considered that a dormer-style dwelling could be designed for the site that would not result in demonstrable harm to the amenity of neighbours. The agent has confirmed that the dwelling will be constructed approximately 815 millimetres above the existing ground level. The appearance, scale and layout of the proposed dwelling would be considered at reserved matters stage, upon which neighbours would have the opportunity to comment. The proposal therefore accords with policies DS1

and RD2 of the North Lincolnshire Local Plan, policies CS1, CS2, CS5 and CS7 of the Core Strategy, and section 12 of the NPPF.

Amenity of the area, including the LC14 Area of Special Historic Landscape Interest

In terms of impact on the LC14 area, no objection has been received from the Historic Environment Record and therefore the proposal will not result in any demonstrable harm to the LC14. The site is partially screened by existing dwellings and existing conifer hedging along Crowle Bank Road and by the adjacent farm buildings along Derrythorpe Road. It is considered that a modest dormer bungalow could be designed to be in character with adjoining dwellings which would have a limited impact on the open countryside in this area. It is also considered that a suitably designed dwelling could be constructed on the site which can comply with the condition proposed by the Environment Agency in terms of floor levels. The agent has confirmed that the dwelling will be constructed approximately 815 millimetres above the existing ground level. The layout, scale and external appearance would be dealt with at reserved matters stage. The proposal can therefore accord with policies DS1 and RD2 of the North Lincolnshire Local Plan, policies CS1, CS2, CS5 and CS7 of the Core Strategy and section 12 of the NPPF.

Biodiversity

In terms of biodiversity, planning conditions will be used to secure biodiversity enhancements on the site. Paragraph 175 of the NPPF seeks to encourage biodiversity improvements in and around development. The proposal will therefore accord with policy CS17 of the Core Strategy and section 15 of the NPPF.

Contamination

In terms of contamination, it is considered that any contamination/remediation could be dealt with by a planning condition which will be imposed on any planning permission. The proposal would therefore accord with policy DS7 of the North Lincolnshire Local Plan.

Conclusion

It is considered that the proposal does overcome the reasons for refusal set out in PA/2019/789. In terms of the first reason for refusal, when that application was determined, the council did have a five year land supply of deliverable sites. At present, the council does not have a five year land supply of deliverable sites and therefore, in terms of the NPPF, the proposal is considered to be a sustainable form of development. In terms of the second reason for refusal, the development is considered to be acceptable in terms of flood risk and now accords with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan. The proposal is acceptable in policy terms and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal in this case.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: DS/19/01 and DS/19/02A.

Reason

For the avoidance of doubt and in the interests of proper planning.

6.

The new dwelling served by the private driveway shall not be occupied until it has been constructed in accordance with details including:

- the method of constructing/paving the drive;
- the provision of adequate drainage features;
- the provision of suitable bin collection facilities adjacent to the highway;

which have been submitted to and agreed in writing by the local planning authority. Once constructed the private driveway shall be retained.

Reason

In the interest of highway safety and to ensure a satisfactory standard of development is provided on the site in accordance with policies T2 and DS1 of the North Lincolnshire Local Plan.

7.

Adequate vehicle access, parking and turning facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

8.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

9.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

11.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan & Policies CS18 and CS19 of the North Lincolnshire Core Strategy and paragraph 163 of the NPPF.

12.

The development shall be carried out in accordance with the submitted flood risk assessment (M Longden, 24/02/2020, LDA/FRA/1064/01C) and the following mitigation measures it details:

- finished floor levels to be set no lower than 4.76 metres above Ordnance Datum (AOD) as stated within section 5.2.1
- appropriate flood resilience measures to be incorporated.

These mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the dwelling and future occupants in accordance with policies CS19 of the Core Strategy and DS16 of the North Lincolnshire Local Plan.

13.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;

- groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

14.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

15.

Within three months of the commencement of development, the applicant, or their successor in title, shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- details of bat roosting features to be installed;
- details of nesting sites to be installed to support bird species such as house sparrow and starling;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- proposed timings for the above works in relation to the completion of the building.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

16.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant, or their successor in title, shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

Informative 1

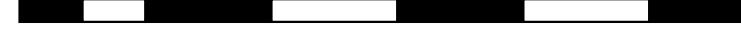
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

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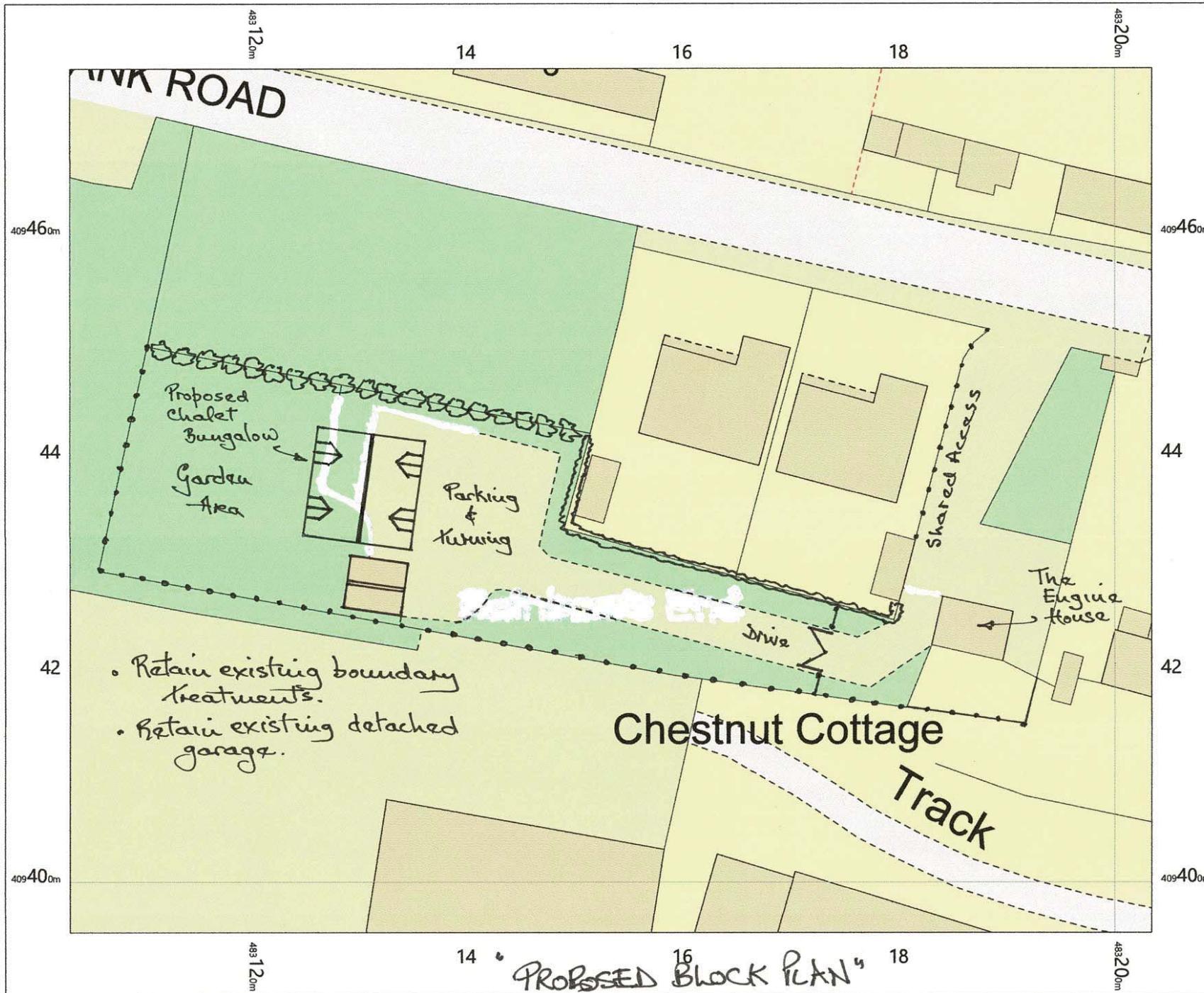
LC14
■ Development Boundary

PA/2020/454

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**North
Lincolnshire
Council**

PA/2020/454 Proposed layout (not to scale)



MR & MRS D. SHARP
LAND ADJACENT TO
THE ENGINE HOUSE
CRODLE BANK ROAD
AUTHOEPE
DN17 3HZ

DRG. NO. DS(19)02A

Monday, April 15, 2019, ID:
BW1-00793381
maps.blackwell.co.uk

1:500 scale print at A4, Centre:
483153 E, 409435 N

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REFUSAL OF PLANNING PERMISSION
(pursuant to an outline or full application)

APPLICATION NO: PA/2019/789

Address/Agent:

Mr James Mumby
JEM Management Services
45 Oswald Road
SCUNTHORPE
DN15 7PN

www.northlincs.gov.uk

Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL

Applicant: Mr & Mrs Duncan Sharp

North Lincolnshire Council hereby give notice that the application received on 30/04/2019 for:

Outline planning permission to erect a dormer bungalow with appearance, landscaping, layout and scale reserved for subsequent approval at land adjacent The Engine House, Crowle Bank Road, Althorpe, DN17 3HZ

has been considered and that permission for this development has been **REFUSED** for the following reasons:

1.

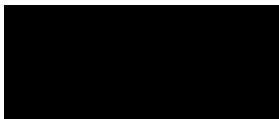
The site is located primarily outside the defined development boundary of Althorpe, within the open countryside, where development is strictly controlled. The proposal is considered to be an unsustainable form of development, remote from local services and would increase the need to travel. No evidence has been put forward to justify a special need for a dwelling in this rural location. In addition, it is considered that the proposed dwelling would have an adverse visual impact on the character and appearance of the open countryside. The proposal is therefore contrary to paragraph 79 in the National Planning Policy Framework, policies CS1, CS2, CS3, CC5, CS7 and CS8 of the Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

2.

The submitted Flood Risk Assessment does not adequately demonstrate that the proposed dwelling would be safe from flooding. The sequential test cannot be passed for the development as there are other sites available within the area at a lower risk of flooding for one dwelling. Furthermore the exceptions test cannot be passed as the proposed development is not considered to provide wider sustainability benefits to the community that outweigh the flood risk and it has not been demonstrated that the proposed development would be safe for its lifetime taking account of the vulnerability of its users. The proposal is therefore contrary to paragraphs 158, 159, 160 and 161 of the National Planning Policy Framework, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

Dated: 24/12/19

Signed:



Andrew Law
Acting Group Manager – Development Management and Building Control

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application then you must do so **within 12 weeks** of the date of this notice.

- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.