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Stephen Hunt Head of Planning and Development Management

Ingleby & Hobson
114 Holme Church Lane
BEVERLEY
East Riding Of Yorkshire
HU17 0PY

Application No: DC/13/00164/PLF/EASTSE

Case Officer: Mrs Joanne Marshall

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990

Application Type: **Full Planning Permission**

Proposal: **Erection of 1no. dwelling following demolition of former blacksmiths workshop**
Location: **Land North Of 46 Main Street Paull East Riding Of Yorkshire HU12 8AL**
Applicant: **Mr Harry Failey**

The above application has been considered by the Council in pursuance of their powers under the above mentioned Act and has been **REFUSED**, for the following reason(s):

1. Paragraph 100 of the National Planning Policy Framework (NPPF), and policy ENV6 of the East Riding Local Plan Strategy Document (ERLP SD) seek to ensure that inappropriate development is directed away from areas with a high risk of flooding.

The application proposes a single dwelling within an area identified as being at high risk of flooding (flood zone 3a) and within the Council's Strategic Flood Risk Assessment (SFRA) Level 1 as being within a hazard area identified as "danger to all".

Residential dwellings are considered to be a 'More Vulnerable' use and, within flood risk zone 3a, the NPPF requires a sequential and exception test to be passed in order to justify new development in these areas. Paragraph 101 of the NPPF (and the Council's Flood Risk Guidance Note) states that the aim of the sequential test is to direct development to areas with a low risk of flooding and that the development should not be permitted where there are reasonably available sites in lower risk areas. The Council has identified allocations within the East Riding Local Plan Allocations Document (ERLP AD) within the Beverley and Central Sub-Area (within which Paull is located) that are located in areas of lower risk, and which are considered to be deliverable and available to meet the housing needs of this area. The Council has also published a Strategic Housing Land Availability Assessment (position at 2016), which demonstrates that there is a current 5.8 year supply of deliverable housing sites within the whole East Riding area. Therefore, policies on flood risk are considered to be up-to-date.

The applicant has failed to demonstrate that the sequential test can be passed and it remains the Council's view that there are sufficient sites available at lower risk of flooding to meet the housing needs of the area. Additionally, it is considered that there are no wider sustainability benefits to the community from the proposed development that would outweigh the risk of flooding.

Whilst the development would bring some benefits, it is not considered that these would be sufficient



for the proposal to be considered as an exceptional case which could outweigh the level of flood risk.

Furthermore, the SFRA advises that more vulnerable development should not be permitted at ground level within the "danger to all" hazard area. This proposal, for a two-storey dwelling includes 'more vulnerable' living accommodation at ground level.

The proposal is therefore considered to be contrary to policy ENV6 (sub-sections B, C and D) of the ERLP SD, the Council's SFRA, the Council's Flood Risk Guidance Note for the Planning Application Process, the national policy contained within Section 10 of the National Planning Policy Framework and the guidance contained within the National Planning Practice Guide.

Reason for Decision

In making this decision the Council has followed the requirements in paragraph 186 and 187 of the National Planning Policy Framework, but as the proposal is contrary to established planning principles relating to flood risk, it has not been possible to suggest potential solutions to the scheme as submitted.

Signed .. 

Date : 2 March 2017

 Alan Menzies, Director of Planning and Economic Regeneration.