The Planning Inspectorate

Appeal Decision

Site visit made on 23 January 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1st February 2017

Appeal Ref: APP/A2525/W/16/3158772
Marsh Road, Gedney Drove End, Spalding, Lincolnshire PE12 9PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr & Mrs A.J.D. Moulis against the decision of South Holland District Council.
- The application Ref H06-0399-16, dated 21 April 2016, was refused by notice dated 17 June 2016.
- The development proposed is residential development (two building plots).

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with all matters reserved. I have treated the appeal in the same manner.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

4. The village of Gedney Drove End lies to the north of Long Sutton, and is located close to the south west side of The Wash. The settlement has a linear development pattern, with housing located primarily on either side of two streets; Marsh and Main Roads. The appeal site is located towards the south eastern end of the village and is located on the east side of Marsh Road, just before a right angle bend.

5. In the vicinity of the site the road is characterised by mainly single storey detached dwellings on the east side of the road, with the west side of the road being free of development. After the right angle bend there are a number of mainly 2 storey houses, all set on the south side of the street, with the north side of the road being open farmland. The surrounding area is largely rural countryside and the landscape is generally flat. As a result far reaching views across the countryside are often possible.

6. The proposal seeks to construct 2 dwellings. The site would encompass a small part of a field and would fill the gap between Midsummer House, a single storey rendered property and the bend in the road. The site is located within Flood Zone 3 (FZ3) of the Environment Agency's (EA) Flood Maps and tidal Flood Zone 3 of the South Holland District Council's Strategic Flood Risk

Assessment Maps. As such, the National Planning Policy Framework (the Framework) states that a site specific Flood Risk Assessment (FRA) should be carried out, and this has been undertaken. The FRA states that the site is defended against the 1 in 200 year tidal event and 1 in 100 year fluvial event.

7. The land level at the site is around 4m aOD. The FRA states that the EA have confirmed that the site could be affected by floodwaters of up to 2m depth as a result of breaching of the tidal defences to the Wash Estuary and the River Nene in 2115. In such areas, the FRA states that proposals must be a minimum 2 storey with no ground floor habitable accommodation, with the first floor living accommodation above the highest predicted flood depth at 2m above the existing ground level. The EA have objected to the proposal, as they state that their mapping shows that flood depths of 2.25-2.5m would impact the site when considering the 2115 0.5% and 0.1% scenarios, and that floor levels should be set at least 2.5m above ground level, as opposed to 2m.

8. The appellant considers that they have not been given the opportunity to address the EA objection, and that a dwelling of iconic contemporary or traditional design could be created to overcome the flood risk issue. However, to satisfy the EA objection, any design proposed would need to be at least 2 storeys, with the first, habitable, floor set at 2.5m above ground level or around 6.5m aOD. It is difficult to fully consider such a proposal in the absence of any detailed plans; nevertheless, dwellings with first floors set at 2.5m above ground level and ground floors consisting entirely of non-habitable rooms would result in high properties, the scale, form and character of which would be at odds with the neighbouring single storey development. Furthermore, the scale and height of such buildings would be particularly striking and visible from afar given the nature of the surrounding countryside.

9. I note that there is no dispute that the Council are unable to demonstrate a 5 year supply of deliverable housing land. In such situations relevant policies for the supply of housing should not be considered up to date and the contents of paragraph 14 of the Framework are engaged. However, in the absence of any details, I consider that the effect of any design of the proposed dwellings given the flood restrictions would significantly and adversely outweigh the limited economic and social benefits that two houses would generate for the area, even in an area with a acknowledged lack of housing land supply.

10. I therefore conclude that, given flood risk requirements for residential developments in this location, the proposal would have a severe adverse effect on the character and appearance of the area. The proposal would be contrary to policy SG14 of the Local Plan[1], which states that development should be designed so that it makes a positive contribution to the architectural and visual quality of its surroundings, as well as to the Framework which states as a core principle that planning should always seek high quality design. Policy SG14 is not a policy for the supply of housing and I consider it remains consistent with the Framework. As such, I ascribe full weight to the policy.

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley INSPECTOR

[1] South Holland Local Plan July 2006