



Appeal Decision

Site visit made on 5 November 2019 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2019

Appeal Ref: APP/N3020/D/19/3235534

117 Moor Road, Papplewick NG15 8EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Hassanali against the decision of Gedling Borough Council.
 - The application Ref 2019/0428, dated 25 April 2019, was refused by notice dated 18 June 2019.
 - The development proposed is described as "Erect small front extension to existing semi-detached house."
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front extension to existing semi-detached house at 117 Moor Road, Papplewick NG15 8EN in accordance with the terms of application Ref 2019/0428 dated 25 April 2019 and subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: JH/PLG/SS/01A.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan policy;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether inappropriate development in the Green Belt

4. The appeal site comprises a semi-detached dwelling located on the eastern side of Moor Road, within the Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 145 and 146 of the Framework set out the forms of development that are not considered inappropriate within the Green Belt. These include the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.
5. What constitutes a disproportionate addition is not defined within the Framework. An assessment of whether an extension would be 'disproportionate' in the context of paragraph 145 is therefore a matter of planning judgement. Policy LDP 13 of the Local Planning Document Part 2 Local Plan states that within the Green Belt extensions to buildings are supported provided the proposal does not result in the floorspace of the building being over 50% larger than when originally constructed or as it existed on 1st July 1948. Whilst Policy 3 of the Gedling Borough Aligned Core Strategy focuses on Green Belt boundaries, it does not refer specifically to extensions in Green Belt.
6. Both the Council and the appellant agree that the proposed single storey front extension, when taken cumulatively with the approved scheme¹ for a two-storey side extension, would increase the floorspace of the original dwelling by 55%. Based on these purely statistical measurements, the extensions would lead to a significant increase in the size of the original dwelling, which would be contrary to Policy LDP 13. Consequently, comparing the original dwelling to the dwelling that would result if the proposal were to go ahead, the outcome would be disproportionate. It would therefore be inappropriate development, which according to paragraph 143 of the Framework is, by definition, harmful to the Green Belt.

Openness

7. The Framework indicates that openness is an essential characteristic of the Green Belt. The development would increase the scale and mass of the dwelling. As a result, both in visual and spatial terms, the openness of the Green Belt would be reduced. Given the scale of the front extension and the extent of the Green Belt, the harm arising from the development in this respect would be limited.

Other considerations

8. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In this regard, a number of other considerations have been highlighted.
9. The justification for Policy LDP 13 indicates that occasions when special circumstances are deemed to apply will be few and far between. Nevertheless, it goes on to state that in certain cases increases in floorspace above 50% may be permitted even if there are no very special circumstances and that each case needs to be judged on its own merits. It also indicates that it is possible

¹ Application ref: 2018/0834

that this may occur when the proposal results in a small increase above the 50% figure and there are other clear and demonstrable benefits.

10. I note that the proposal would exceed the 50% figure by 5%, which in this case the appellant calculates would be 3.65 square metres. Accordingly, the increase over and above that which would be acceptable under Policy LDP 13 would be limited.
11. From all I have seen and read, the two properties, Nos. 115 and 117 were built as a symmetrical pair in a style and design commensurate with their age. No. 115 has subsequently been extended by way of a side extension, a hip-to-gable roof alteration and a front extension. The approved side extension at No.117 would mirror that at the adjoining semi, No. 115. Similarly, the proposed front extension would align with that at No. 115 and would thereby visually balance the pair of semi-detached dwellings in terms of their form and design. The proposal would thereby help to restore the symmetry of the pair. Given the location of the development to the front of dwelling, and its prominence in the streetscene, the proposal would also have a positive effect on the appearance of the area. Consequently, the benefits that the extension would bring carry significant weight.

Whether very special circumstances necessary to justify the proposal exist

12. To conclude, the appeal proposal would be inappropriate development in the Green Belt and would cause limited harm to the openness of the Green Belt. The Framework requires that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
13. Having regard to the clear benefits that the extension would have on the pair of semi-detached dwellings Nos 115 and 117, and the streetscene, I consider that these factors carry significant weight and clearly outweigh the harm by reason of inappropriateness and the effect on the openness of the Green Belt, and amount to the very special circumstances necessary to justify the proposal.
14. I acknowledge the Council's concern that acceptance of this proposal may create a precedent. However, each proposal should be considered on its own merits and I have determined this proposal on the circumstances and context of this particular case. I am therefore satisfied that acceptance of this proposal would not therefore set an undesirable precedent.

Conditions and Recommendation

15. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans.
16. In addition to these conditions, the Council has also suggested a condition to require that the materials of the extension to match those of the existing building. Details of materials have been included on the submitted drawings and indicate that the entire frontage of the building including the extension already permitted is to be finished in white render. No objection to the appearance of the development or the materials proposed has been raised by the Council. Moreover, I note that the front elevation of neighbouring dwelling No. 115 also has a pale coloured render finish at the first-floor level. Thus, the

proposed materials would not make the development appear out of context. Accordingly, the suggested condition is unnecessary and reasonable and would not therefore meet the tests for conditions set out in the Planning Practice Guidance.

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR