



Appeal Decision

Site visit made on 18 August 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2020

Appeal Ref: APP/N3020/D/20/3244624

The Folly, Park Lane, Lambley NG4 4PY

- 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 H Watson against the decision of Gedling Borough Council.
 - The application Ref 2018/0217, dated 28 February 2018, was refused by notice dated 18 October 2019.
 - The development proposed is described as the 'erection of link extension to existing dwellinghouse and conversion of stables and workshop to additional living accommodation together with associated parking and landscaping works'
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of link extension to existing dwellinghouse and conversion of stables and workshop to additional living accommodation together with associated parking and landscaping works' at The Folly, Park Lane, Lambley NG4 4PY in accordance with the terms of the application, Ref 2018/0217 dated 28 February 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Elevations 11254-100 dated November 2017; Proposed Floor Plans 11254-101 dated November 2017; and Proposed Site Plan 11254-102 dated November 2017;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

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 Issue

3. The main issues are:
 - 1) Whether the proposal would constitute inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework); and

- 2) If found to be inappropriate development, whether the harm, by reason 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 the proposal;

Reasons for the Recommendation

Whether the proposal constitutes inappropriate development

4. The appeal site is located off Park Lane in Lambley within the Green Belt, and comprises a bungalow dwelling with outbuildings and stables, situated in a spacious plot. The site is bounded by open fields to the rear and Park Lane to the front, separated by hedging. The proposal relates to the conversion of the stable block at the site to residential accommodation, which would be linked to the bungalow by way of an extension, together with associated parking and landscaping works.
5. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. With regards to the proposed conversion of the stable block to residential accommodation, Policy LPD 12 of the Gedling Borough Local Planning Document Part 2 Local Plan, adopted July 2018 (the Local Planning Document), clarifies that the reuse of buildings within the Green Belt will not be regarded as inappropriate development, provided that the buildings are (i) of permanent and substantial construction, are structurally sound and capable of reuse without major alterations, adaptations or reconstructions; and (ii) preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This reflects paragraph 146 of the Framework which identifies, amongst other forms of development, the re-use of buildings that are of permanent and substantial construction as not inappropriate.
6. As observed on site, the stable block to be converted as part of the proposal meets the first leg of this test. It is a permanent, brick building that appears to be structurally sound and of substantial construction. While works would be required as part of the conversion, as evidenced by the submitted plans, these would not be of such a scale as to be described as major alterations, adaptations or reconstructions. However, it is not the intention that the conversion of the stable block would be a standalone element. It represents one part of the proposal, which would be connected to the existing dwelling at the site by a link extension. It is proposed that these elements together would be occupied as one dwelling and they should be assessed as such.
7. With regards to the proposed link extension, the Framework makes it clear that the construction of new buildings is inappropriate in the Green Belt. There are a limited number of exceptions, as detailed by paragraph 145 of the Framework. This includes at 145(c) "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*". Original building is defined in the Framework as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. However, the concept of a disproportionate addition has not been defined in the Framework.
8. Policy LPD 13 of the Local Planning Document clarifies that extensions and alterations to buildings within the Green Belt may be granted for up to 50% of the original building provided that a number of tests are met, including that extensions (i) are in keeping with the surrounding character in terms of height, bulk, form and

general design; and (ii) do not have a detrimental impact on the openness of the Green Belt or the reason for including land within it. While a disproportionate addition is not defined in the Framework, the concept of increases over 50% being disproportionate is a reasonable bench mark given the development plan. That figure was examined and found to be in accordance with the Framework, as was then in force. Given the conformity of Policy LPD 13 with the Framework, I attach substantial weight to this policy in the context of the appeal.

9. No plans have been provided showing the original dwelling, and the extent of previous extensions and additions was not immediately apparent from the site visit. However, in the Officer Report the Council has stated that the proposal represents an increase of 21% when compared to the original building. This has not been disputed by the appellant and I have no reason to doubt the accuracy of the information presented. Therefore, this element of Policy LPD 13 has been met.
10. With regards to the impact of the proposal on the surrounding character, the immediate locality is rural in nature. While further west along Park Lane the prevailing character is built up with modest sized dwellings, the residential development in the immediate locality comprises larger properties located in ample plots. In particular, the neighbouring site to the south west of the appeal site comprises a sizeable dwelling. As such, although the proposal would introduce additional bulk at the appeal site and result in a dwelling with a non-traditional layout and shape, this would not appear out of place. It would be experienced primarily within the context of the surrounding sites, which feature similar development. In this respect it meets this test of Policy LPD 13.
11. However, in accordance with Policy LPD 13 and the Framework, the proposal would nonetheless be inappropriate development if it did not preserve the openness of the Green Belt or if it conflicted with the purposes of including land within it.

Impact on openness

12. The Framework states that *"the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."* It has been established that openness has both a spatial and visual aspect.
13. From a spatial perspective, the development would consolidate the built form on the site introducing additional built elements. However, while the resulting dwelling would be large, the additional bulk introduced by the proposal is limited. The link extension is relatively modest in size and scale, set in from the front and rear of the dwelling and not extending the entire width of the property. Rather, the proposal would simply fill a limited amount of space between the dwelling and stables. Furthermore, while an additional parking and patio area are proposed, existing outbuildings to the rear of the site would be removed, and an area of concrete hardstanding replaced with grass. When taken together across the whole site the net effect in my view would be that there was a reduction in built development and the overall impact on the spatial openness of the Green Belt in this location.
14. From a visual perspective, while the stables and dwelling would be read as one building rather than two following development of the proposal, the vantage points within the site from which this, and the link extension element of the proposal, would be experienced are limited. Furthermore, there would be no views of the proposal from the public highway along Park Lane due to the hedging present and the set-back nature of the dwelling. The Council has stated that an increase in

domestic paraphernalia may occur at the site as a result of the development, however due to the limited scale of the extension, any such increase is unlikely to be significant and, in any event, as the site is currently residential in nature such paraphernalia could occur without the proposal in place.

15. I note that the Reason for Refusal states that the proposal would provide a larger curtilage area to serve the dwelling and would lead to encroachment into the Green Belt. However, in accordance with the submitted plans the red line boundary of the appeal site would not change and as such the site area would remain the same. The Council has not provided any further evidence to support their contention.
16. Accordingly, the impact to the openness of the Green Belt from a visual perspective would be limited. Overall therefore, the proposal would preserve the openness of the Green Belt.

Purposes of Green Belt

17. Paragraph 134 of the Framework sets out the five purposes for including land within the Green Belt as follows: i) to check the unrestricted sprawl of large built-up areas; ii) to prevent neighbouring towns merging into one another; iii) to assist in safeguarding the countryside from encroachment; iv) to preserve the setting and special character of historic towns; and v) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Due to the location of the proposal and its surroundings, in combination with its modest scale, the development would not conflict with these purposes of including land within the Green Belt.

Conclusion on Green Belt

18. For all of the reasons given above, the proposal would comply with Policies LPD12 and LPD 13 of the Local Planning Document and paragraph 145(c) and 146 of the Framework such that it would not represent inappropriate development in the Green Belt.

Other matters

19. Interested parties have raised that there is a history of retrospective applications at the appeal site. However, limited information has been submitted in this regard, and in any event I am to examine the appeal that is before me, which is not a retrospective application. Accordingly, limited weight is attached to this argument.

Overall Conclusion and Recommendation

20. I have concluded that the proposal would not represent inappropriate development in the Green Belt and as part of that concluded that there would be no harmful effect on openness or the visual impact of the development. Moreover, the proposal is in accordance with the development plan. There are no material considerations that indicate a decision otherwise than in accordance the development would be appropriate, the proposal should therefore be approved and I recommend the appeal be allowed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

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

Kenneth Stone

INSPECTOR