



Appeal Decision

Site Visit made on 19 January 2021

by Chris Baxter BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2021

Appeal Ref: APP/N3020/W/20/3262019

43 Kighill Lane, Ravenshead, Nottingham, NG15 9HN

- 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 Nicholas Jolliffe against the decision of Gedling Borough Council.
 - The application Ref 2020/0591, dated 12 June 2020, was refused by notice dated 1 September 2020.
 - The development proposed is extension to existing garage to form a garden room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal is inappropriate development in the Green Belt; and if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. Policy 3 of the Gedling Borough Council Aligned Core Strategy 2014 (CS) and Policy LPD13 of the Gedling Borough Council Local Planning Document 2018 (LPD) relate to development in the Green Belt. The National Planning Policy Framework (the Framework) also states in paragraph 145 that Councils should regard the construction of new buildings as inappropriate in Green Belt, unless the development falls within the exceptions list. This list includes 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. Policy LPD13 of the LPD states that within the Green Belt, planning permission will be granted for extensions or alterations to buildings provided the proposals do not result in the floorspace of the building being over 50% larger.
4. The Council have calculated that the proposed floor area would be 30.66 square metres which results in a 114% increase of the garage building. These calculations are not disputed by the appellant. The proposed extension would be a large structure which would result in a disproportionate addition that is over and above the size of the original property.

5. The proposed development would therefore be inappropriate development in the Green Belt and would conflict with Policy 3 of the CS, Policy LPD13 of the LPD and paragraph 145 of the Framework.

Other considerations

6. The appellant has indicated that the proposed garden room could be built elsewhere under permitted development at a larger scale. No plans have been submitted indicating how a development could be brought forward under permitted development rights. Nor is there anything definite in the evidence before me to suggest that a permitted development scheme would subsequently be constructed and as such, it is no more than a theoretical possibility. Consequently, I attribute little weight to this matter.
7. I have had regard to the appellants statement of case which explains that the extension is required primarily to accommodate visiting family/guests as existing arrangements are not convenient due to the appeal property only having a single family bathroom. No substantial justification has been provided to explain why only having a single family bathroom constitutes an inconvenient arrangement. On this basis, I attach minimal weight to this matter.
8. I note that neighbouring occupiers have not raised any objections to the proposal and that the design and location choices seek to be economical and environmentally friendly whilst preserving existing vistas. The experiences of the architect for the proposed drawings is also noted. These matters do not alter my findings above.
9. The Gedling Borough Council Green Belt Assessment 2015 has been brought to my attention. However, a copy of this document has not been submitted, therefore I cannot be sure if this document provides any relevance to the proposal subject of this appeal.

Conclusion

10. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. Even when taken together, the other considerations reviewed above, do not clearly outweigh the Green Belt harm and therefore no very special circumstances exist. The proposal would be inappropriate development in the Green Belt and would be contrary to Policy 3 of the CS, Policy LPD13 of the LPD and paragraph 145 of the Framework.
11. For the reasons set out above, I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR