



Appeal Decision

Site visit made on 10 August 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/P3040/D/21/3275531

**Mirabel, 17 The Leys, Normanton on the Wolds, Nottinghamshire
NG12 5NU**

- 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 & Mrs Wright against the decision of Rushcliffe Borough Council.
 - The application Ref 20/03042/FUL, dated 2 December 2020, was refused by notice dated 16 March 2021.
 - The development proposed is construction of two storey front, side and single storey rear extensions. 2no. New chimneys. New box dormer windows to front and rear including roof alterations. New external materials including rock panel cladding.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is taken from the Decision Notice of the Council. The description was changed as part of the application with the agreement of the appellant.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt;
 - 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

Inappropriate Development

4. The property is a detached dwelling, located in a predominately residential area. Dwellings in the locality have spacious plot sizes and are generally set back from the highway.

5. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 149. One of the exceptions cited is the extension of a building provided that it does not result in disproportionate additions over and above the size of the 'original building'.
6. However, the word disproportionate is not defined in the Framework, and each case is assessed on its own merits. Original building is defined as anything added to the building as originally built post 1948, which in this case is any previous extensions.
7. I gather, from the evidence in front of me, that the property has been previously extended, and the appellant's calculation of a 56% increase appears to be calculated on the dwelling as extended, not the original dwelling.
8. The proposed extensions would see the erection of two front extensions either side of the existing front gable and include flat roof dormers. With the addition of a rear extension and other alterations, including chimneys, I consider that the proposals, when added to previous extensions, would mean that the proposals are not subordinate to the original dwelling.
9. I find that the outcome is disproportionate when considered in light of the original dwelling, and I consider that the proposals are inappropriate development which is by definition, harmful to the Green Belt.
10. As the proposals would not comply with the exceptions, the definition of inappropriate development is that it is harmful to Green Belt and should not be allowed except in very special circumstances according to the Framework. Paragraph 148 of the Framework states that substantial weight should be given to any harm to the Green Belt.
11. In addition, I find the proposals are contrary to Policy 21 of the Rushcliffe Local Plan Part 2 : Land and Planning Policies (2019) (the LP2) which states that Green Belt applications shall be determined in accordance with the Framework.

Openness

12. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. Openness can be defined as the absence of built form. In the case before me the bulk of the built form would increase significantly as a result of the proposal and would therefore, in spatial terms, have a harmful impact upon the openness of the Green Belt.
13. Although the proposal would be seen within the context of existing neighbouring dwellings, having regard to its prominent location it follows that the proposed alterations to the dwelling would be visually intrusive. These factors outlined weigh somewhat against the proposal.

Green Belt Balance and Conclusion

14. In conclusion I have identified that the scheme would be inappropriate development in the Green Belt as defined by the Framework and result in harm to openness. It would, by definition, be harmful to the Green Belt, to which I must give substantial weight.
15. The Council have not raised issues with regard to the effect of the development on local residents, and do not find that the design harmful to the character and appearance of the area but raised the issue regarding the principle of the development within the Green Belt. I also note that no objections were raised from consultees or local residents
16. The other considerations would not cumulatively, outweigh the totality of harm the scheme would cause to the Green Belt.
17. Consequently, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR