



Appeal Decision

Site Visit made on 22 November 2021

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2021

Appeal Ref: APP/N3020/D/21/3279461

Hillside, Private Road, Woodborough NG14 6DW

- 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 Andrew Pearson against the decision of Gedling Borough Council.
 - The application Ref 2021/0224, dated 4 March 2021, was refused by notice dated 30 April 2021.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. At the time of my site visit the appellant had constructed a single storey flat roof side extension in place of a conservatory, where the two storey extension, proposed under this appeal, was to be constructed. The appellant claims this has been constructed under permitted development rights. I have no substantive evidence either way to make comment on that claim.
3. The extension has been constructed to match the ground floor of the proposed two storey extension. Therefore, the appellant suggests that the development to be considered under this appeal has been amended to that of a first floor side extension. However, the Planning Procedural Guide makes it clear that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the Council, and on which interested people's views were sought. I have therefore considered the proposal as a two storey side extension as originally considered by the Council.

Main Issues

4. The main issues are:
 - whether or not the proposal is inappropriate development in the Green Belt;
 - the effect 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

5. The National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded to be inappropriate in the Green Belt with the exception of the developments listed within paragraph 149 which 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'.
6. Policy LPD13 of the Gedling Borough Local Planning Document Part 2 Local Plan adopted 2018 (LPP2) 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 than when originally constructed or as it existed on 1st July 1948. Extensions are also subject to a number of criteria including not having a detrimental impact on the openness of the Green Belt.
7. Both parties agree that the appeal property has been previously extended such that the extension would mean that the floorspace of the building would be over 50% larger than when originally constructed.
8. Paragraph 6.3.4 of the LPP2 states that increases in floorspace above 50% may be permitted even if there are no very special circumstances and each proposal must be assessed on its own merits. However, it goes on to make it clear that this may occur when a proposal results in a small increase over the 50% figure and there are other clear and demonstrable benefits. The Council has calculated that the proposed extension, together with previous additions, to the house, would result in an increase in floor area of 106.7% above the original dwellinghouse and therefore consider it to be a disproportionate addition. These figures are not disputed by the appellant and would be well above a small increase over the 50% figure.
9. However, size is more than a function of volume and includes bulk, mass, and height. The extension replaces a single storey conservatory which was roughly of a similar size and mass to the ground floor of the proposed extension. Nevertheless, from the information before me, the proposed extension together with previous additions would, as a matter of judgement, whether considered as a two storey, or first storey extension, cumulatively amount to a disproportionate increase above the size of the original building. The cumulative increase in floorspace would be substantial in terms of the numerical calculation alone. In addition, the apparent scale and mass of the building has already been notably increased, through the previous additions such that the proposed extension, even though subservient to the host dwelling would result in a large mass adding to the visual and volumetric impact of previous extensions, even when taking account of the presence of the conservatory.
10. For the reasons above, I conclude that the proposal would be inappropriate development in the Green Belt and therefore would be contrary to Policy LPD13 of the LPP2 and the Framework.

11. The Council also refers to Policy 3 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014. However, this is regarding the retention and review of the Green Belt and therefore has not been directly applicable to the proposal before me now.

Openness

12. Openness is an essential characteristic of the Green Belt. The appeal property is a large, detached house set on an elevated position in a row of dwellings set in spacious plots with landscaping. While it is surrounded by built development, there is space between the buildings which contributes to the open character. The two storey extension would replace a single storey conservatory. The first storey element however, would be additional built form. While I have found it to be a disproportionate addition, the extension would be of a domestic scale and the additional bulk and mass would reduce openness by only a minor amount.
13. The appellant refers to case law regarding the consideration of the impact on openness of the Green Belt¹. However, that related to whether a proposal had a greater impact on openness as it was considered under the Framework exception of limited infilling rather than extension or alteration of a dwelling. I do not therefore consider the cases to be comparable. In any case, I have considered the impact on openness based on the site specific matters.

Other considerations

14. The extension would be of a good design and quality, reflecting that on the existing host dwelling. I also note letters of community support. However, good design should be an expectation and therefore I give this, together with community support minor weight. Lack of harm to residents living conditions would be neutral in any planning balance.
15. The design and materials used for construction would match the existing dwelling. The appellant considers that the proposed side extension would have a positive relationship with the existing dwelling and local street scene rather than the incongruous single storey extension thereby creating an overall improvement in the appearance of the site. However, even if I had considered the appeal on this basis, I observed that the single storey extension integrated well with the main dwelling being subservient and designed to match the existing dwelling. Consequently, this would not be sufficient justification for the proposed extension.
16. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Through the disproportionate addition of an extension to this property, and the consequent minor impact on openness, the proposal would conflict with that fundamental aim.

Conclusion

17. The proposal is inappropriate development in the Green Belt and would cause minor harm to openness. The Framework states that substantial weight should be given to harm to the Green Belt. The other considerations do not outweigh the totality of harm to the Green Belt. Consequently, the very special

¹ [2018] EWHC 1753 (Admin)

circumstances necessary to justify the development do not exist and therefore the appeal is dismissed.

Zoe Raygen

INSPECTOR