



Appeal Decision

Site visit made on 7 March 2022 by Darren Ellis MPlan

Decision by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2022

Appeal Ref: APP/N3020/D/21/3288049

517 Mansfield Road, Redhill NG5 8PG

- 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 Manjeet Gurwara against the decision of Gedling Borough Council.
 - The application Ref 2021/1136, dated 27 September 2021, was refused by notice dated 19 November 2021.
 - The development proposed is a hip to gable roof extension to the rear of an existing detached property and upgraded boundary treatment to street scene.
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Decision

1. The appeal is dismissed insofar as it relates to the hip-to-gable roof extension.
2. The appeal is allowed insofar as it relates to the boundary treatment and is subject to the conditions below:
 - 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: Site Location Plan drawing no. MRN-ARC-S1-00-DP-A-2201 Revision P2; Site Tree Plan drawing no. MRN-ARC-S1-00-DP-A-2202 Revision P2; West Elevation drawing no. MRN-ARC-B1-XX-DE-A-3701 revision P1; North Elevation drawing no. MRN-ARC-B1-XX-DE-A-3702 revision P1; and South Elevation drawing no. MRN-ARC-B1-XX-DE-A-3703 revision P1, insofar as the drawings relate to the boundary treatment.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the application form, North Elevation drawing no. MRN-ARC-B1-XX-DE-A-3702 revision P1 and South Elevation drawing no. MRN-ARC-B1-XX-DE-A-3703 revision P1 insofar as the drawings relate to the boundary treatment.

Appeal Procedure

3. 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.
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Background and Main Issues

4. A previous planning application was recently approved for the extension of and alterations to the existing dwelling¹. The appeal proposal seeks a further extension, namely a hip-to-gable extension at the rear of the property, and to replace the existing railings of the front boundary treatment with a wall of the same height. The Council considers the replacement wall to fall under permitted development.
5. The appeal site is within the Green Belt and so the main issues are:
 - whether the hip-to-gable extension would be inappropriate development for the purposes of development plan policy and the National Planning Policy Framework;
 - the effect of the hip-to-gable extension on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, 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 it.

Reasons for the Recommendation

Whether the proposal would be inappropriate development

6. Paragraph 149 of the National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including paragraph 149(c) where they involve the extension of an existing building. This is provided that the extension does not result in a disproportionate addition over and above the size of the original building. The Framework defines 'original building' as 'a building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally.' It does not however define 'disproportionate'. Consequently, an exercise of judgement will be required in assessing the proposal given its scale and context.
7. Policy 3 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (September 2014) (ACS) and Policy LPD13 of the Gedling Borough Local Planning Document Part 2 Local Plan (July 2018) (LPD) align with the Framework as they seek to protect the Green Belt. Policy LPD13 also states that, for extensions to buildings in the Green Belt, the floorspace of the building should not increase by more than 50% over the floorspace of the original building.
8. The appeal property is a two-storey detached dwelling that has previously been extended. The recently approved application would see the removal of the front bay window and a replacement porch, as well as alterations to the fenestration and exterior materials. The development proposed in this appeal would see a hip-to-gable extension to the existing two-storey rear projection.
9. The Council states that previous extensions have increased the floorspace of the property by 147%, although it is not clear if this figure takes into account

¹ Planning application ref. 2021/0232

the recently approved scheme. Nevertheless, the Council also calculates that the hip-to-gable extension would result in an increase of 151.5% to the floorspace of the original building.

10. The appellant has not contested these figures but has provided calculations to show an overall reduction to the volume of the property. However, what is described as a porch that would be removed under the approved scheme is a canopy roof and does not enclose any volume inside the building. If the volume of this covered area is taken out of the appellant's calculations, the proposal, including the hip-to-gable extension, would result in an increase to the volume of the property.
11. The Framework resists disproportionate additions over and above the size of the original building. Size is more than a function of floorspace and volume and includes bulk, mass, and height. From the information before me, the proposed hip-to-gable extension would, as a matter of judgement and together with the existing and approved extensions, 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, particularly through the existing additions which have visibly increased the bulk of the dwelling. The hip-to-gable extension would increase the massing at the rear of the dwelling and would add to the visual and volumetric impact of previous extensions.
12. Overall, having regard to the cumulative increase in volume and scale I am firmly of the view that the proposal would amount to a disproportionate addition above the size of the original dwelling, hence conflicting with ACS Policy 3, LPD policy LPD13 and with the Framework.
13. The proposal would therefore be inappropriate development which is, by definition, harmful to the Green Belt.

Openness

14. Openness is an essential characteristic of the Green Belt. The Planning Practice Guidance states that openness is capable of having both spatial and visible aspects, so that both the visual impact of the proposal and its volume may be relevant.²
15. The visual bulk of the hip-to-gable extension would significantly increase the massing of the dwelling and the proposed development would result in a reduction in the openness of the Green Belt. However, given the position of the hip-to-gable extension at the rear of the dwelling, the harm that would be caused to openness would be limited. Nonetheless, one of the fundamental aims of Green Belt policy is to keep land permanently open and paragraph 148 of the Framework identifies that substantial weight should be given to any harm to the Green Belt. I attach weight to the loss of openness accordingly, in addition to the harm by reason of inappropriateness.
16. Furthermore, the proposal would fail to satisfy criterion b)iv of LPD policy LPD13, as the proposal would have a detrimental impact on the openness of the Green Belt.

² Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

Other Considerations

17. The proposal would provide additional living space for occupiers of the appeal property. However, personal circumstances will seldom outweigh more general planning considerations and I attach moderate weight to this matter.
18. The previously approved scheme would alter the appearance of the appeal property in any event, such that the hip-to-gable extension now proposed would not have a significant additional impact on the character of the area. I note that the Council considers the effect of the appeal proposal on the character of the host dwelling and wider area to be acceptable, and based on the evidence before me I have no reason to disagree.
19. The Council considers that the proposed front boundary treatment could be constructed without planning permission under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, whether or not the boundary treatment is permitted development is not for me to consider in the context of an appeal made under s78 of the above Act. I have therefore dealt with the appeal on the basis of the plans submitted to me. The proposed wall would be finished with render to match the exterior materials of the dwelling under the approved scheme, and the wall would be the same height as the existing railings. The wall would therefore be in keeping with the appearance of the dwelling and would not detract from the street scene or wider area. The proposed boundary treatment would therefore accord with policy 10 of the ACS, which requires development to have the highest standards of design.

Planning Balance and Conclusion

20. The proposed boundary treatment would be in keeping with the host dwelling and would not detract from the street scene or wider area. However, the proposed hip-to-gable extension would cause harm to the Green Belt by way of its inappropriateness and to its openness, and the Framework establishes that substantial weight should be given to any harm to the Green Belt.
21. The Framework states that development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Although moderate weight is attached to the other considerations that are raised by the appellant, they do not clearly outweigh the totality of the harm I have identified above. Consequently, the very special circumstances necessary to justify the hip-to-gable extension do not exist.

Conditions

22. In order to provide certainty and in the interests of proper planning it is necessary to impose the standard time limit and specify the approved plans insofar as they relate to the front boundary wall. In the interests of the character and appearance of the area, a condition is also necessary specifying that the materials used for the front wall used match the details shown on the application form and the approved drawings.
23. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal be dismissed insofar as it relates to the hip-to-gable roof extension because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan. I further

recommend that the appeal be allowed insofar as it relates to the boundary treatment.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

24. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, agree with the recommendation for a split decision.

B J Sims

INSPECTOR