



Appeal Decision

Site visit made on 26 July 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

Appeal Ref: APP/N3020/D/22/3300150

128 Nottingham Road, Ravenshead, Nottinghamshire NG15 9HL

- 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 Mrs Hayley Holford against the decision of Gedling Borough Council.
 - The application Ref 2022/0160, dated 9 February 2022, was refused by notice dated 1 April 2022.
 - The development proposed is Erection of first floor extension to front / side elevation. Alterations to windows and feature two storey bay window. Render of front and part of side elevations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt; and
 - Would any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt

3. The appeal site is located within the Green Belt. The National Planning Policy Framework (the Framework) sets out that new buildings within the Green Belt are inappropriate subject to a number of exceptions. Paragraph 149(c) of the Framework sets out that one of these exceptions is 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.
4. With regards to the Framework, the 'original building' is defined as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Based on the evidence before me, the dwellinghouse on the appeal site was constructed prior to 1 July 1948, and it is therefore that date which

represents the baseline for the assessment of whether the proposal would result in disproportionate additions.

5. Policy LPD 13 of the Local Plan¹ also relates to extensions to buildings within the Green Belt. This sets out that extensions should not result in the floorspace of the building being over 50% larger than when originally constructed or as it existed on 1st July 1948. However, while floorspace may be a common method of measuring the scale of development, the Framework actually refers to the 'size' of the original building, and on that basis matters of height, scale and massing should also be assessed.
6. In respect of the 'original building' the Council has provided extracts from the Ordnance Survey (OS) from 1938 and 1960 which cover the baseline period of 1948. In comparison with the 1938 extract, the 1960 extract shows that further built development was added to the dwelling, including extensions to the main building footprint and a detached garage.
7. The appellant considers that the garage formed part of the dwelling on 1 July 1948, and as it has been demolished it should be subtracted from the floorspace calculation. However, the appellant has provided no substantive evidence to demonstrate that the garage was in place in 1948. I am also mindful that the 1960 OS extract shows other extensions to the building, and there is no evidence that these were constructed prior to 1948.
8. Moreover, further extensions have been added to the dwelling, including a garden room and bedroom permitted under an application submitted in 2005². Those approved plans also show other extensions which have been added subsequent to the 1960 OS extract, including a kitchen and first floor bedroom extension. The appellant contends that the 'existing floor plans' of the 2005 proposal were accepted by the Council as reflecting the floor area of the original dwelling. However, even if that reflects the Council's decision, it has not been demonstrated that this was made in the light of the extracts from the OS which are before me.
9. Further on the matter of the 2005 application, it has not been demonstrated that the decision was made on the basis of wider considerations of the 'size' of a building as opposed solely to floorspace. In any event, this does not lead me to a different conclusion based on what I have seen and read as well as the provisions of the Framework in my consideration of this appeal at this time.
10. The appellant refers to a proposal in 2008³ for a studio/garden room, which has not been implemented. When granting permission, the Council considered that the proposal "will not have a sufficiently significantly greater impact upon the openness of the Green Belt than currently exists". However, the consideration of openness is different from that of proportionality, particularly in relation to the original building rather than as it currently exists.
11. Drawing the above together, I cannot be certain that the building as it stood in 1948 was as large as the appellant suggests. In particular, based on the evidence before me, substantial further extensions have been added subsequent to the size of the building as depicted on the 1960 OS extract.

¹ Local Planning Document Part 2 Local Plan 2018

² application ref. 2005/1223

³ application ref. 2008/0466

12. Given the considerations of the Framework as to the 'size' of the building, I consider that the scale and massing of those further 2-storey extensions has resulted in disproportionate additions over and above the size of the original building. The demolished garage was a single storey building of a lesser height and scale, and even allowing for floorspace its demolition does not mitigate the disproportionate size of the existing extensions to the building.
13. The proposed extensions are minor in scale. But even small extensions can represent a disproportionate addition if the building has previously been extended, as is the case here.
14. In conclusion on this main issue, it has not been demonstrated that the proposal would meet the floorspace requirements of policy LPD 13 in respect of extensions to buildings within the Green Belt. Furthermore, based on the evidence before me, the proposal would result in disproportionate additions over and above the size of the original building. I therefore conclude that the proposal would be inappropriate development in the Green Belt.

Openness

15. In comparison to the existing building, the proposals would be of a very limited scale. Although they would be apparent as extensions to the size of the existing building, the increase would be very limited. On that basis, the effect on the openness of the Green Belt would be very limited.

Other Considerations

16. The appellant refers to the Green Belt purposes as set out in the Framework. However, as new built development, the proposal should be assessed against the provisions of paragraph 149 of the Framework with regards to inappropriateness, as I have done in this case.
17. The proposal is of a suitable design for this residential property and would not harm the character and appearance of the area. However, a lack of harm is not a benefit and this is a neutral factor in the overall planning balance.
18. Reference has also been made to the Council's consideration of a proposal at 126 Nottingham Road. However, the particular needs of a resident at that site contributed to the consideration of very special circumstances, which is not the case in the appeal before me.

Conclusion

19. The proposal would be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and the Framework requires that substantial weight should be given to any harm. The proposal would also lead to very limited harm to the openness of the Green Belt. There are no other considerations which clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
20. It has not been demonstrated that the proposal would meet the requirements of policy LPD 13 of the Local Plan with regards to extensions to buildings within the Green Belt. The proposal would also conflict with policy 3 of the Aligned

Core Strategies⁴ and the Framework with regards to the protection of Green Belt land.

21. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

⁴ Greater Nottingham Aligned Core Strategies, Part 1 Local Plan 2014