



Appeal Decision

Site visit made on 30 August 2022

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2022

Appeal Ref: APP/N3020/D/22/3302058

Phoenix, Newstead Abbey Park, Nottingham Road, Ravenshead NG15 8GD

- 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 Salmon against the decision of Gedling Borough Council.
 - The application Ref 2022/0192, dated 18 February 2022, was refused by notice dated 17 June 2022.
 - The development proposed is extensions and alterations.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - if the development is inappropriate in the Green Belt, whether any harm by reason of inappropriateness, openness 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

3. Paragraph 149 of the Framework sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. It says new buildings within the Green Belt are inappropriate unless, amongst other things, they represent the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.
4. Policy LPD 13 of the Gedling Borough Local Planning Document Part 2 Local Plan (2018) (GBLPD) makes clear that planning permission will be granted for extensions to buildings in the Green Belt provided that among other things, proposals do not result in the floorspace of the building being over 50% larger than when originally constructed.

5. I accept that national policy does not specify how to determine whether an extension is disproportionate. However, the justification text to Policy LPD 13 of the GBLPD explains that a review of Local Plans has indicated that a 50% increase was the most commonly used figure nationally although figures ranged from 25% to 70%. Moreover, it says having regard to consultation responses it is considered appropriate to continue to define disproportionate additions as being increases in floorspace of more than 50%. The aims of Policy LPD 13 of the GBLPD are consistent with the Framework. The policy has been found sound through examination and it forms part of the adopted development plan.
6. It is not disputed that the proposal would increase the floorspace of the existing dwelling, particularly through the proposed first floor extension. The Council say that the floorspace of the original dwelling has already been increased by more than 50% suggesting the increase in floorspace from that of the original dwelling is already around 155%. This is also not disputed.
7. I accept the increase in floorspace as a result of the appeal proposal would be relatively small. I note it would fill a space between parts of the appeal property and it would have limited visibility from anywhere other than within the appeal site. However, the appeal property has already been extended significantly and disproportionately and any further additions would compound this. The proposal would add further bulk of built form into the Green Belt consequently eroding Green Belt openness.
8. For these reasons, I find the proposal would be inappropriate development in the Green Belt which would harm Green Belt openness. It would therefore be in conflict with paragraph 145 of the Framework and with Policy LPD 13 of the GBLPD which seeks to avoid inappropriate development in the Green Belt. Whilst Policy 3 of the Greater Nottingham: Broxtowe, Gedling Borough & Nottingham City Aligned Core Strategies Part 1 Local Plan (2014) (ACS) is referenced in the Council's reason for refusal, this policy is concerned with reviewing Green Belt boundaries and is not directly applicable to specific development proposals within the Green Belt, as such I find no direct conflict with it.

Other considerations

9. The appeal property would be within the grade II* listed Newstead Abbey Park grade II* registered park and garden. However, the proposals overall are relatively modest such that the character, appearance or use of the appeal property would not be significantly altered. Thus, there would be no impact on the significance of the designated heritage asset and any effect in this regard would be neutral. However, I note the proposals would improve the living conditions for the occupiers of the appeal property. There may also be economic benefits associated with construction.

Conclusion

10. I have found that the proposal would amount to inappropriate development within the Green Belt and would be harmful to Green Belt openness and therefore should not be approved except in very special circumstances.

11. I give some weight to the improvement in living conditions and economic benefits associated with construction. However, all other considerations combined are relatively modest and are outweighed by the substantial weight which must be given to the Green Belt harm identified. The other considerations in this case are therefore clearly insufficient to demonstrate very special circumstances.
12. Thus, for the reasons set out above and with regard to all other matters raised I conclude, on balance the scheme would not accord with the development plan or national policy and should therefore be dismissed.

L Fleming

INSPECTOR