



Appeal Decision

Site visit made on 19 December 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2023

Appeal Ref: APP/P2935/D/23/3329482

**Khalsa Manor, C151 Eastgate Junction to Tranwell Woods Junction,
Tranwell Woods, Northumberland NE61 6AQ**

- 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 Jagraj Singh against the decision of Northumberland County Council.
 - The application Ref 23/01729/FUL, dated 11 May 2023, was refused by notice dated 24 July 2023.
 - The development proposed is an extension to garage forming gym and office above.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to garage forming gym and office above at Khalsa Manor, C151 Eastgate Junction to Tranwell Woods Junction, Tranwell Woods, Northumberland NE61 6AQ in accordance with the terms of the application, Ref 23/01729/FUL, dated 11 May 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: C-00; C-01; C-03 and C-05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. In reaching this decision, I have considered the revised version of the National Planning Policy Framework (the Framework) that was published on 20 December 2023 but as it does not involve changes to national Green Belt policy, I have not sought the parties' comments upon it. I did, however, seek their comments about the site's planning history, what the original building is and whether or not the detached garage building is a normal domestic adjunct. I have had regard to those comments in reaching my decision.

Main Issues

3. The main issues in this case are: (a) whether the proposal would be inappropriate development in the Green Belt, having regard to the development plan and the Framework; and (b) if the proposal is 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 the development.

Reasons

Whether inappropriate development

4. The appeal site lies within the Green Belt. The proposal relates to a detached double garage within the curtilage of a detached dwelling. It is proposed to extend the garage to form a gym on the ground floor, change the hipped roof to a gable roof, and add three dormer windows within the roof space to facilitate a first floor to be used as an office and store.
5. Policy STP 8 of the Northumberland Local Plan 2016 – 2036 (Local Plan) says that, when assessing development proposals within the Green Belt, development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported, except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt. Development, which is not inappropriate in the Green Belt, as defined in national planning policy, will be supported.
6. The use, purpose, and location of the garage within the curtilage of the dwellinghouse mean that it is a normal domestic adjunct. The proposed extension and use of the garage building would also clearly be related to the occupation of the dwelling and close to it. Therefore, the proposal can be considered an extension to the dwelling. Framework paragraph 149 c) sets out that the proposal will not be inappropriate development if the extension or alteration of the building would not result in disproportionate additions 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.
7. The dwelling and garage were built following the grant of planning permission (outline and reserved in 2012 and 2014 or a full application in 2014) by the Council. It is unclear which of the two permissions was built out, but the Council explains that the plans indicate that both permissions are the same insofar as the dwelling and the garage. As such, they set the baseline for what represents the original building.
8. There is no local policy or guidance to indicate what a disproportionate extension or addition may be. The Council refers to a rule of thumb uplift of 33% for footprint or volume and says that the proposal would increase the garage's floor area by around 44% and its volume by roughly 63%. However, these measurements do not include the remainder of the dwelling, which is considerable in size. I do not have volume or floor space figures of the dwelling or by how much the proposal would add to that before me. But, based on the approved plans submitted and my observations, the proposal would be a modest increase to the building and below the Council's rule of thumb.
9. Hence, the proposal would not result in disproportionate additions over and above the size of the original building. Therefore, I conclude that the proposal would not be inappropriate development in the Green Belt. The proposal's effect on the openness of the Green Belt does not need to be considered nor do the other considerations. The proposal would accord with Local Plan Policies STP 7 and STP 8 together with Framework paragraph 149 c) as development which is not inappropriate in the Green Belt as defined by national planning policy will be supported. There would also be no conflict with the policies within The Morpeth Neighbourhood Plan 2011 – 2031.

Conditions and Conclusion

10. The proposal would not be inappropriate development, and as such, there would be no harm caused to the Green Belt. Consequently, I conclude that the proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this.
11. I have imposed an approved plans condition in the interests of certainty and a condition concerning matching materials to ensure the proposal has a harmonious character and appearance with the remainder of the garage.
12. For the reasons given above, I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR