



Appeal Decision

Site visit made on 2 January 2024

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2024

Appeal Ref: APP/N3020/D/23/3328356

**Sansom Wood Farm Cottage, Old Rufford Road, Calverton,
Nottinghamshire NG14 6NW**

- 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 Chantelle Moodie against the decision of Gedling Borough Council.
 - The application Ref 2022/1330, dated 4 December 2022, was refused by notice dated 30 June 2023.
 - The development proposed was originally described as permission for detached garage in curtilage of residential detached home.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, a revised version of the National Planning Policy Framework (the Framework) has been published. In relation to this appeal the relevant parts of the Framework are similar. Consequently, I have not gone back to the parties for comments. Whilst I have had regard to the Framework in reaching my decision, no party would be prejudiced or caused any injustice by me taking this approach.

Main Issues

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

Reasons

Whether inappropriate development

4. Policy 13 of the Gedling Borough Local Planning Document: Part 2 Local Plan (2018) (LPD) 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.

5. Paragraph 154 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension to a building will not be inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.
6. Sansom Wood Farm Cottage is a two-storey, detached dwelling which has previously been extended. The Council state that the existing building has already been extended by 47.7% above the size of the original dwelling as a result of the 2018 extension. There is no clear evidence before me to suggest that this calculation is incorrect.
7. The proposal would result in a large garage with a room within the roof. Given the height, depth, and width of the garage, it would result in a significant increase in floorspace and volume. The proposed garage, when taken in combination with previous additions, would result in disproportionate additions over and above the size of the original building and would result in the floorspace of the building being over 50% larger than when originally constructed.
8. Consequently, the proposal would not fall under any of the exceptions listed in the Framework or comply with Policy 13 of the LPD. The development would therefore be inappropriate development in the Green Belt having regard to chapter 13 of the Framework and Policy 13 of the LPD.

Openness

9. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The openness of the Green Belt has a spatial aspect as well as a visual aspect.
10. The garage would have a spatial impact on the openness of the Green Belt because it would introduce built development where there are currently no buildings. The garage would be located to the rear of the dwelling. The topography of the land as well as trees and the existing boundary treatment would provide screening of the development. Thus, the proposal would have a very limited visual impact on the openness of the Green Belt.
11. For these reasons, the development would not preserve the openness of the Green Belt. As such, the proposal would conflict with the fundamental aim of Green Belt policy, as stated in the Framework, to keep land permanently open.

Other considerations

12. The appellant highlights that the proposed materials and design are reflective of the area. The officer's report sets out that the proposal would result in harm to the character and appearance of the host dwelling. However, this is not supported by reasoning and does not form part of the reason for refusal or conclusion. The officer's report also sets out that the materials would not be out of character with the area.

13. I am satisfied that the proposed materials and design would be appropriate, and the development would not cause harm to the character and appearance of the host dwelling or area. The absence of harm and compliance with local and national planning policies does not amount to a positive factor in favour of the scheme.
14. The appellant also states that they have a large area of land that they need to maintain which requires tools and machinery, and there is nowhere to store such items and/or vehicles for the property. They consider that leaving such items out in the open poses a health and safety risk, security risk and impacts their ability to maintain the land. Little evidence has been provided to support these claims and I give very limited weight to this consideration.
15. The appellant has requested guidance relating to the size of the building, conditions, permitted development, and requested advice from the Council. The appeal process should not be used to evolve a scheme and it is not my role to suggest an alternative scheme. These matters are given neutral weight.

Whether very special circumstances exist

16. The proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. The proposal would not preserve the openness of the Green Belt. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
17. I give very limited weight to the consideration relating to the need for the building. The other considerations highlighted are given neutral weight. When drawing this together, the other considerations advanced in support of the appeal do not clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist. Consequently, the scheme would conflict with Policy 13 of the LPD and chapter 13 of the Framework, which seek to protect the Green Belt, and the proposed development would amount to inappropriate development in the Green Belt.

Conclusion

18. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR