



Appeal Decision

Site visit made on 23 April 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2024

Appeal Ref: APP/N3020/W/24/3336717

155 Lowdham Lane, Woodborough, Nottingham NG14 6DN

- 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 S Rose and Mrs K Pate against the decision of Gedling Borough Council.
 - The application Ref is 2023/0361.
 - The development proposed is 4no. 3 bedroom detached dwellings on previously developed land using existing access to Lowdham Lane.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) the effect of the proposal on the landscape character of the area; and c) if it 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

Inappropriate Development

4. The National Planning Policy Framework (the Framework) establishes that new buildings in the Green Belt are inappropriate except in certain circumstances. Paragraph 154 e) refers to limited infilling in villages and paragraph 154 g) the limited infilling or partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development. Policy 3 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 (ACS) is broadly consistent with the Framework's Green Belt protection approaches. The term 'infilling' is not defined in the Framework. Policy LPD15 of the Gedling Borough Local Planning Document Local Plan Part 2 2018 (LPD) sets out criteria for infill development
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- in the Green Belt, including that the proposal does not have a detrimental impact on its openness.
5. The Council appear to be satisfied that the appeal scheme would be infilling for the purposes of Policy LPD15. I am not convinced it would be such in a village. The address of the appeal site and any subsequent dwellings thereon aside, any development would not be 'in' a village. Woodborough is some distance away from the appeal site. There are some sporadic pockets of development around it, but they are not contiguous therewith. For the Framework's purposes therefore, exception e) would not apply.
 6. In terms of exception g), the appeal site was part of a garden centre with associated structures. The appellant has submitted a photograph showing the wider site as it was approximately 17 years ago, however it is no longer operational and some of the larger structures have been removed. I am unclear as to when this was or how recently the garden centre was in use. There is thus no reason to consider the whole of the garden centre and all of its past associated structures as part of the current site. Particularly since, for the Framework's purposes on assessing effect on openness and exception g) it is concerned with existing development. I am satisfied however, taking into account the Council's evidence on this matter, the appeal site is previously developed land.
 7. The frames of four poly tunnels remain where the proposed dwellings would be. The dwellings would be 5.3m in height with a similar ridge level to the existing farmhouse. This would make them significantly taller and far more substantial in their overall mass and scale than the frames. The difference between the new dwellings and the existing farmhouse would not be great, but in terms of the redevelopment context of the appeal scheme, the uplift in qualitative and quantitative terms between the dwellings, all they would entail, and the existing polytunnel frames, would be significant.
 8. Openness is an essential characteristic of the Green Belt. Planning Practice Guidance explains that openness can have spatial and visual aspects¹. Although the proposal would only take up a contextually small part of the entire garden centre site, the increased scale (additional height and mass specifically) and consequently the much greater visual impact of the new dwellings compared to the existing polytunnel frames would clearly result in a reducing effect on the spatial and visual aspects of the Green Belt's openness. Accordingly, the proposed development would have a greater impact on the openness of the Green Belt than the existing development. The proposal would therefore not fall under the exceptions paragraphs 154 e) and g), or any other exception within paragraphs 154 or 155 of the Framework. It would therefore be inappropriate development which is, by definition, harmful to the Green Belt. It would conflict with the Green Belt protection aims and exceptions contained within ACS Policy 3 and LPD Policy LPD15.

Landscape Character

9. As set out in the Greater Nottingham Landscape Character Assessment 2016 (LCA), the appeal site falls within landscape zone MN014 Woodborough Sloping Farmland. This zone has a rural and open character, the condition is good and the character strong to moderate. The landscape strategy is to conserve and

¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

enhance and built form should enhance the integration of new and existing development in the countryside.

10. The farmhouse, polytunnels and other structures at the appeal site together with the storage of vehicles and machinery which, at the time of my site visit, appeared to be mostly of an agricultural use, contribute positively to the open and rural character of the area. The removal of four of the polytunnels and the construction of four dwellings in very close proximity to each other, with associated residential gardens, driveways and domestic paraphernalia, would undoubtedly have an urbanising effect on the site.
11. While the site is well screened by trees and hedging when viewed from the road directly in front of and to the west of the site, limited views of the proposed dwellings would be possible from the road to the east of the site due to their height and the lack of complete obscurity. Furthermore, the dwellings would be more visible during the winter months when the trees and hedges shed their leaves, or if the hedging is reduced in size at any time.
12. Even if the proposal were to improve the condition of the site in part and in isolation, the scale of the development in a wider context would be modest and views of the site from public vantagepoints further field are restricted. As such any perceived improvements would have a limited effect on the character of the area and would not therefore be sufficient to make the scheme acceptable. The Woodborough Green Garden Centre and Lowdham prison are both situated a considerable distance from the appeal site and as such they do sufficiently influence the prevailing character of the site and its surroundings. These larger developed sites are otherwise well contained and distinct.
13. The proposed dwellings would therefore unacceptably erode the rural and open character of the area and fail to enhance the integration of new and existing development in the countryside. The proposal would conflict with LPD Policy LPD19, which requires development to not result in a significant adverse impact on the character of the landscape and to enhance the qualities of the landscape character type in which it is situated. The proposal would also fail to comply with the aims of the LCA and the design aims of the Framework.

Other Considerations

14. The provision of four additional units would make a small difference to the existing supply of housing. Economic advantages would arise from the construction and occupation of the dwellings, although these would be limited by the scale of the scheme, and some would only be temporary. I therefore ascribe moderate weight to these matters. No objections were made by Woodborough Parish Council or the Highways Authority, however these are neutral matters and do not weigh in favour of the proposal.

Conclusion and Recommendation

15. The appeal scheme would conflict with the Green Belt protection aims of ACS Policy 3, LPD Policy LPD15 and the Framework. Specifically, by virtue of being inappropriate in Green Belt terms. This would be worthy of substantial weight. The proposal would also cause harm to the landscape character of the site and its wider context, leading to further development plan conflict. The weight that would be attached to the other considerations would not be sufficient to clearly

(my emphasis) outweigh the harms that would arise. The very special circumstances necessary to justify the appeal scheme do not therefore exist.

16. There are thus no material considerations, including the approach of the Framework and worthy of sufficient weight, that would indicate a decision other than in accordance with the development plan. I therefore recommend the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR