



Appeal Decision

Site visit made on 20 May 2025

by **K Savage BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

Appeal Ref: APP/W3005/W/24/3356635

Melbourne Farmhouse, 86 Inkerman Road, Selston, Nottinghamshire NG16 6BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Knighton (Hooper Enterprise Associates Limited) against the decision of Ashfield District Council.
 - The application reference is V/2024/0350.
 - The development proposed is a first floor extension and associated alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension and associated alterations, at Melbourne Farmhouse, 86 Inkerman Road, Selston, Nottinghamshire NG16 6BN in accordance with the terms of the application, Ref V/2024/0350 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawing numbers: Location Plan dated 25 July 2024; 101 Rev A (Existing Layout & Elevations); 102 (Proposed Layouts & Elevations & Section); 103 (Site Plan).
 - 3) The facing and roof materials to be used in the development hereby permitted shall match those in the construction of the existing building.
 - 4) The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Melbourne Farmhouse, 86 Inkerman Road, Selston, Nottinghamshire NG16 6BN.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to relevant development plan policies, the provisions of the Framework and the effect on the openness of the Green Belt;
 - Whether the proposal would involve the creation of a separate dwelling;
 - If the proposal 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

Green Belt

3. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless certain exceptions apply. One of these is (c) 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. The Council's reason for refusal refers, among others, to ST4 and EV1 of the Ashfield Local Plan Review (November 2002) (the ALPR). Policy ST4 states that, outside of named settlements, permission will be given for development 'appropriate to the Green Belt' as set out in Policies EV1 and EV2. Policy EV1 relates to development in the Green Belt and pre-dates the Framework. It resists inappropriate development except in very special circumstances, but allows for certain 'appropriate development' including *limited* extension of existing dwellings. The requirements of Policy EV1 are inconsistent with the Framework with regard to the extension of buildings in the Green Belt, as is the terminology of Policy ST4. Therefore, I have afforded limited weight to these policies and assessed the proposal principally against the test at Paragraph 154.
5. There is no definition in the Framework of what constitutes a 'disproportionate addition.' The Ashfield Residential Extensions Supplementary Planning Document (November 2014) (the SPD) acknowledges that the term cannot be clearly defined, as much will depend on the circumstances of each case. However, it nevertheless considers an increase of more than 30% in total floor area, measured externally and excluding the loft, as being disproportionate.
6. The appeal relates to a dwelling surrounded by a number of large, agricultural buildings forming part of a working farm. The Council indicates that the original dwelling has undergone a number of extensions, including a conservatory predating 1985, a sun lounge granted in 1985 and a side extension granted in 1993 to form a granny flat.
7. The Council calculates the original dwelling as having a footprint of 72.4m² and a floorspace of 144.8m². The existing extensions are stated to have added a total of 111.86m² of footprint and floorspace (all being at ground level). The percentage increase in floorspace over the original is stated to be 77.2%.
8. The floorspace proposed is calculated at 102.04m². Thus, the Council puts the total floorspace to be added by the existing and proposed extensions at 123.9m², or a 147% increase over the floorspace of the original dwelling. These figures are not disputed by the appellant.
9. A 147% increase represents a nearly two-and-a-half times enlargement in the overall floor area and would be significantly beyond the SPD threshold. However, the assessment of proportionality is not solely a mathematical exercise. The test in the Framework is one of size, which can encompass consideration of scale, massing and overall form. Therefore, it is necessary to consider more than just the floorspace, as this is not always a reliable indicator by itself of the overall size and form of a building. Moreover, the essential characteristics of Green Belts are their openness and permanence, and the Framework also sets out the five purposes of the Green Belt. It is relevant to consider the proposal's effect on these in reaching an overall view on whether it would amount to a disproportionate addition.

10. I have had regard to the various appeal decisions provided by the appellant, noting the approach of other inspectors to assessing whether extensions are disproportionate, but comparisons of percentage increases elsewhere are unhelpful given the inevitable differences between the scale and form of individual dwellings. Ultimately, I have considered the proposal on its own merits.
11. The dwelling has been significantly extended at ground floor level, with the additions wrapping around three sides. Much of the massing of the extensions is to the side and rear when viewing from the road, which enables the original two storey form of the dwelling to still be legible. However, the overall footprint of the extensions and their wraparound arrangement leaves the original building appearing undersized by comparison. The proposed extension would be at first floor level, infilling above the granny annexe extension at the rear, forming an L-shaped arrangement over two floors. Although adding two floors of accommodation, the upper storey would be contained within the roof space, with the roof itself matching the form of the existing dwelling. In essence, the extension would form an enlargement of the main body of the building. When viewed as a whole, this would serve to rebalance the overall form of the dwelling with the enlarged two storey element predominating and the remaining single storey elements appearing more appropriately subordinate in scale.
12. Additionally, much of the massing would be contained behind the existing dwelling when viewed from the road, with the projecting element of the first floor occupying a very modest gap between the dwelling and an adjacent outbuilding. From public vantage points, the dwelling would not appear significantly larger, with the visible massing located within an already substantial cluster of farm buildings on the land. The same can be said for views from other directions, where the extension would be seen as part of the existing spread of development. In these respects, I find that the proposal would not cause material harm to the openness of the Green Belt. In addition, as the proposal would not extend the existing footprint of the dwelling in any direction, it would not offend any of the five purposes of the Green Belt.
13. Therefore, whilst I acknowledge that the cumulative floorspace of existing and proposed extensions would significantly exceed the threshold set out in the Council's guidance, I conclude that the overall form of the dwelling would be rebalanced by the proposal and the extensions, taken together, would not appear disproportionate in size. Nor would the extension cause harm in respect of the essential characteristics or purposes of the Green Belt.
14. For these reasons, I conclude that the proposal would not amount to inappropriate development in the Green Belt, and no conflict therefore arises with Policies ST4 and EV1 of the ALPR. As the proposal does not amount to inappropriate development, there is no requirement to assess if there are other considerations that amount to very special circumstances so as to justify the development.

Separate Dwelling

15. The Council raised concern in respect of the use of the property as two separate dwellings and sought evidence from the appellant to justify the scale of extension. In the absence of a satisfactory response, the contention that the extension would form a separate dwelling formed part of the reason for refusal.
16. However, the evidence indicates that the granny annexe was subject to a condition restricting it to use ancillary to the main dwellinghouse and not as a separate

dwelling. There is no evidence advanced by the Council to substantiate use as two separate dwellings. I am required to determine the application as made, which is for an extension to the dwellinghouse, described as being for use by the appellant's extended family who work on the farm. The appellant has provided a statutory declaration setting out his family's circumstances and stating no intention to create a separate dwelling. I have no reason to doubt the appellant's intentions in this regard. I recognise that the layout of the dwelling and granny annexe is largely separate, with the exception of a single internal doorway on the ground floor, but it would be possible to impose a similar condition to that previously imposed to ensure the proposed first and second storey floorspace to the granny annexe remains in ancillary use alongside the ground floor.

17. Consequently, I find that the proposal would not result in the creation of a separate dwelling, and no conflict arises with the aforementioned policies EV1 and ST4 concerning development in the Green Belt.

Other Matters

18. Of the other policies cited by the Council in its reason for refusal, HG7 relates to the impact of extensions on visual amenity, residential amenity and highway safety, and ST1 is a general development policy encompassing largely similar criteria. However, no harm is alleged by the Council in any of these respects. The Council has not opposed the proposal in terms of character and appearance. As set out above, the proposal would create a proportionate overall form to the dwelling and a suitable scale relative to the substantial agricultural buildings immediately next to it. It would therefore preserve the overall appearance of the dwelling and the character of the area.
19. The proposed extension would also be located at distance from the nearest dwellings and would have no adverse effect in terms of the living conditions of neighbouring occupants. There would also be no adverse effect on highway safety, as no change to the access is proposed, and ample space exists on site for parking and turning.

Conditions

20. A condition setting out the approved plans is necessary, to provide certainty. It is also necessary to require matching materials to ensure a satisfactory appearance. Finally, as set out above, I shall impose a condition restricting use of the proposed floorspace to purposes ancillary to the residential use of the main dwelling. This is necessary to prevent its use as a separate independent dwelling.

Conclusion

21. I have found above that the proposal would not be inappropriate development in the Green Belt, nor would there be material harm in any other respect. Consequently, there is no conflict with the development plan or the Framework and so the appeal should be allowed.

K. Savage

INSPECTOR