



Appeal Decision

Site visit made on 28 January 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/B3030/D/19/3241277

Hall Close, Main Street, Hoveringham NG14 7JR

- 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 J Burns against the decision of Newark & Sherwood District Council.
 - The application Ref 19/01512/FUL, dated 13 August 2019, was refused by notice dated 9 October 2019.
 - The development proposed is a utility extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a utility extension at Hall Close, Main Street, Hoveringham NG14 7JR in accordance with the terms of application Ref 19/01512/FUL dated 13 August 2019 and subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.

The development hereby permitted shall be carried out in accordance with the following approved plans: 19/923/01, 19/923/02, 19/923/03 Rev A, 19/923/04 Rev A, Block Plan.
 2. 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer 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:
 - Whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan;
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be
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clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether inappropriate development in the Green Belt

4. Hall Close is a detached dwelling identified as a local interest building, within the Hoveringham Conservation Area and within the setting of 'Holmleigh' a Grade II listed building. The site lies within the Green Belt and the rear of the appeal property adjoins the open countryside.
5. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 145 and 146 of the Framework set out the forms of development that are not considered inappropriate within the Green Belt. These include the extension or alteration of a building provided that it does not result in disproportionate addition over and above the size of the original building.
6. What constitutes a disproportionate addition is not defined within the Framework nor within Policy 4B (Green Belt Development) of the Newark and Sherwood Amended Core Strategy (2019). An assessment of whether the proposed extension would be 'disproportionate' in the context of paragraph 145 is therefore a matter of planning judgement. The Council suggests that as a rule of thumb extensions of between 30-50% of the original dwelling would not be considered disproportionate.
7. The Council has stated that the proposed single storey extension, when taken cumulatively with previous additions, would increase the floor space of the original dwelling by 59% and the footprint by 58%. These percentages have not been contested by the appellant. Whilst based on these purely statistical measurements the proposed and existing extensions would lead to a sizeable increase in the footprint and floorspace of the original dwelling, it is important to consider this issue in terms of the scale, bulk, massing and built form that would result from the changes sought.
8. The proposed extension would provide a small infill to the south-eastern corner of the dwelling, which would complete the original rectangular form of the host dwelling. The extension in itself would be very modest in terms of its volume and even when combined with the volume of the existing extension, it would represent an increase of less than 50% over that of the original building. Given the modest scale and position of the development in relation to the dwelling, and its clear separation from the previous, larger T-shaped addition to the rear, the extension would not significantly alter the overall scale or shape of the original building. Thus, the effect of the development on the host dwelling would be limited and even when taken cumulatively with the previous extension would not, in visual terms, result in a disproportionate addition over and above the size of the original building.
9. Accordingly, I find that the proposal would not be inappropriate development in the Green Belt and would accord with Policy 4B of the Newark and Sherwood Amended Core Strategy (2019) and the provisions of the Framework.

10. With respect to openness and the purposes of the Green Belt, given my findings, the proposal would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it. 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.

Other matter

11. The Council found that the proposal would not have a harmful impact on the Hoveringham Conservation Area or the setting of the listed building. Given the scale and siting of the proposal, I am satisfied from all I have seen and read that it would have a neutral impact on the significance of these heritage assets. Accordingly, it would meet the requirements of S66 (1) and S72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require me to pay special attention to the desirability of preserving the character or appearance of the conservation area, and preserving the listed building and its setting.

Conditions and Recommendation

12. I have had regard to the Council's suggested conditions, in the event of the appeal being allowed, in the light of advice in the Planning Practice Guidance (PPG) and I have considered them against the six tests, as outlined within the Framework and the PPG. In the interest of proper planning and to provide certainty I have recommended the standard time limit condition and specified that the development should be carried out in accordance with the approved plans. In order to protect the character and appearance of the conservation area, a condition requiring that matching materials are used in the development is necessary.
13. In addition to these conditions, the Council has suggested a condition that requires agreement of further details of design, specifications, fixing and finish. Given the modest scale of the extension, its siting in relation to the host dwelling and the streetscene, and the details outlined within the submitted plans, such a condition would be unnecessary to make the development acceptable and would not meet the tests for conditions as set out in the Framework and PPG.
14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed, subject to these conditions.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR