

Report to Planning Committee

Application Number: 2019/0391 – Appeal Ref: APP/N3020/W/19/3235898

Location: 107 Mansfield Road, Papplewick, NG15 8FJ

Proposal: Double garage with first floor, replacing incomplete balcony with Juliette balcony.

Case Officer: Deirbhile Blair

Planning permission was refused by the Borough Council on the 31st May 2019 on the following grounds:

1. The garage is in inappropriate development in the Green Belt contrary to the five purposes of including land within Green Belt. Additionally it has a detrimental impact on the openness of the Green Belt by introducing significant built form to the rear of the existing properties. In accordance with paragraph 143 and in the absence of very special circumstances the proposed development would be contrary to the five purposes of Green Belt and contrary to paragraphs 133, 134, 143 and 145 of the NPPF and Policy LPD15 of the Local Planning Document and Objective B of the Papplewick Neighbourhood Plan which seeks to Protect Green Belt from inappropriate development and ensure that the countryside is protected.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been Allowed. The Inspector concluded that the proposal constitutes inappropriate development which the Framework establishes should not be approved except in very special circumstances. However, the circumstances which preceded the appeal relate to a permission granted in 2013 for a detached garage of a similar footprint and design to the existing garage. Whilst the existing garage is 1.0m higher than the approved garage, in visual terms has a greater impact on the openness of the Green Belt than the previous development although to a limited extent. Therefore, the proposal conflicts with Policy LPD 15 of the Local Planning Document and Objective B of the Papplewick Neighbourhood Plan. The Framework is clear that the development plan is the starting point for decision taking and if there is conflict with an up to date development plan, permission should usually not be granted unless material considerations indicate otherwise. Such material considerations exist in favour of the proposal. The existence of the 2013 planning permission showing a development of similar size, slightly higher, and in a

position close to the building, carry very substantial weight in favour of the development and, in the balance, clearly outweigh the Green Belt harm.

Recommendation: To note the information.