

Report to Planning Committee

Application Number: 2020/1052

Appeal Ref: APP/N3020/W/21/3275008

Location: Lord Byron House, Newstead Abbey Park, Nottingham

Proposal: Replacement Dwelling and associated works including demolition of existing buildings.

Case Officer: Bev Pearson

Planning permission was refused by the Borough Council on the 9th April 2021 on the following grounds:

In the opinion of the Local Planning Authority the proposal would result in the construction of replacement dwelling and garage in the Green Belt which would have a significantly greater floor area than the original dwelling they replace and therefore the proposal fails to accord with any of the identified exceptions of development. Notwithstanding the supporting information submitted by the applicant and fall-back position, the Local Planning Authority do not consider that very special circumstances have been demonstrated to outweigh the harm to the Green Belt by way of the development's inappropriateness which would be by definition harmful to the openness of the Green Belt. In the absence of any very special circumstances which would outweigh such harm the development fails to accord with Section 13 (Protecting Green Belt Land) of the NPPF (2019), Policy 3 (The Green Belt) of the Aligned Core Strategy (2014) and Policy LPD 14 (Replacement of Buildings within the Green Belt) of the Local Planning Development Document (2018).

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

This appeal has been dismissed.

The Planning Inspector considered the proposed development and concluded that:-

The footprint of the proposed dwelling would result in an increase in the extent of development towards the frontage of the site and encroach into an area which is currently undeveloped and would also include elements of first floor accommodation. Although it would be possible for the proposed dwelling to be set into the site by the alteration of the ground levels, the works associated with altering the ground levels would result in further encroachment into the site. All of these factors indicate, that the proposed dwelling cannot reasonably be considered to be anything other than materially larger.

In this instance the effect of the cumulative increased size of the built development would clearly be experienced both visually and spatially. For this reason, the proposed development would compromise and significantly harm the openness of the Green Belt, in that it would be reduced.

I have given considerable weight to the material consideration in respect of the improved sustainability of the replacement dwelling and limited weight to the other considerations cited in support of the proposal. However, I conclude these circumstances do not clearly outweigh the substantial weight I must give to the overall harm the scheme would cause.

Consequently, very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. The proposal would fail to comply with policy LDP14 of the LDP and policy 3 of the Aligned Core Strategy 2014, which together direct development away from the Green Belt and requires development to minimise the potential detrimental impact on openness.

Recommendation: To note the information.