

## **Report to Planning Committee**

**Application Number:** 2023/0443

**Appeal Ref:** APP/N3020/W/24/3355133

**Site Address:** 1 Church Lane, Linby, Nottinghamshire, NG15 8AB

**Application description:** Detached dwelling with associated car parking, dropped kerbs and amenity space.

**Case Officer:** Joe Mitson

The planning application was refused permission on the 6<sup>th</sup> September 2024 for the reasons outlined below:

1. By virtue of the scale, siting and overall design of the dwelling, the proposal would result in significant harm to the open character and appearance of the site and is therefore considered to result in detrimental impacts on the openness of the Green Belt and would represent inappropriate development which is, by definition, harmful to the Green Belt. No very special circumstances have been demonstrated to outweigh the harm to the Green Belt. The development is therefore contrary to Policy 3 of Gedling Borough Council Aligned Core Strategy, criteria (d), (e) and (f) of Policy LPD 15 of the Gedling Borough Council Local Planning Document and Section 13 of the National Planning Policy Framework.
2. By virtue of the scale, siting and overall design of the dwelling, the proposal would result in significant harm to the open character and appearance of the site, the street scenes of Church Lane and Main Street, the Linby Conservation Area and the setting of the grade II\* church. The proposal is therefore contrary to Policies DES1, CBH2 and NE2 of the Linby Neighbourhood Plan, Policies LPD 19, LPD 26, LPD 27, LPD 28 and LPD 34 of the Gedling Local Planning Document, Policies 10 and 11 of the Aligned Core Strategy, Sections 12 and 16 of the National Planning Policy Framework and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

### *Reason for Refusal 1 – Green Belt*

The Inspector found the proposal would not constitute inappropriate development in the Green Belt (GB) and this ground for refusal was not upheld. The Inspector found that the proposal amounted to limited infill within a village and would, therefore, not be considered inappropriate development in the GB.

The Inspector found, as outlined in paragraph 36 of the Appeal Decision, a degree of inconsistency between the wording the Council's Policy LPD 15 and the National Planning Policy Framework, as Case Law has found that for those exceptions in the Framework where the effect on openness is not expressly stated as a determinative factor in assessing inappropriateness, there is no requirement to undertake a separate assessment of the impact of the development on the openness of the Green Belt.

### *Reason for Refusal 2 – Designated Heritage Assets*

The Inspector found that the proposal would fail to preserve the special interest of Grade II\* listed St Michael's Church and the character and appearance of the Conservation Area (CA) as a whole, finding less than substantial harm, in the order of low to moderate, to both heritage assets.

The Inspector noted the positive contribution of setting to the significance of the Grade II\* church, including specifically from the appeal site, which provides a 'valuable open and visual link between Main Street and St Michael's Church'. The Inspector found that the appeal site makes a significant positive contribution to the character and appearance of Linby CA. The Inspector found that, while a two storey detached dwelling would not be out of character with the locality, and that the materials were otherwise appropriate, the siting of the proposed dwelling would diminish the current open nature of the corner plot, erode a piece of identified significant green space in Linby, be visually prominent and interrupt views of St Michael's. The Inspector also noted that the proposal entailed alterations to the stone boundary wall on Church Lane, noting these as being a distinctive feature of the CA, which would also harm the significance of the CA.

### *Inspector Conclusions*

The Inspector noted a small contribution to local and national housing targets from the proposed dwelling and limited benefit from construction employment, amounting to limited to modest weight to be given to these public benefits. The Inspector concluded these benefits would not outweigh the identified harm to the significance of the designated heritage assets and as such the appeal was dismissed.

**Recommendation:** To note the information.