

Report of the Chief Executive

APPEAL DECISION

<b>APPLICATION NUMBER:</b>	<b>22/00650/FUL</b>
<b>LOCATION:</b>	<b>The White House and Three Chimneys, Nottingham Road, Nuthall, Nottinghamshire NG16 1DP</b>
<b>PROPOSAL:</b>	<b>Change of use of conservatory extension between The White House and Three Chimneys to create a separate dwelling house known as The Glass House, including the creation of a basement (Retrospective)</b>

**APPEAL DIMISSED**

The application was refused for the following reasons:

1. *The application site lies within the Nottinghamshire Green Belt and the proposal to retain a dwelling would constitute inappropriate development and therefore by definition would be harmful to the Green Belt. No very special circumstances have been demonstrated and there are no other considerations which would clearly outweigh the policy conflict and by definition, the harm to the Green Belt. Accordingly, the proposal is contrary to the aims of Policy 8 of the Part 2 Local Plan (2019) and Section 13 of the National Planning Policy Framework (NPPF) 2021.*
2. *The combination of the lack of light and outlook to the third bedroom provides a substandard level of amenity for occupiers. Accordingly, the proposal is contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (NPPF) 2021.*

The Inspector considered the main issues were whether the proposal would be inappropriate development in the Green Belt, impact on living conditions and if very special circumstances exist.

The Inspector recognised that the change of use of the conservatory to a separate dwelling changed the nature of the site. The addition of more domestic activities associated with an additional and separate household, together with the related paraphernalia such as waste bins, garden furniture and vehicles and illumination all contributed to an encroaching, urbanising effect that is at odds with the Green Belt purpose relating to urban sprawl.

The Inspector stated that insufficient evidence has been presented by the appellant to suggest the basement existed before the conservatory was built. Consequently, the basement that is part of the dwelling represents an extension or alteration. If a proposal to re-use a building includes any extensions or alterations, these also have to be considered under the exception at paragraph 154 c) of the Framework.

The Inspector recognised that the conservatory was approved under the previous development plan which allowed extensions to increase from the original building of up to 50%; however, the conservatory and basement together (35% and 42.5%)

would exceed this figure. The Inspector concluded the basement had significantly increased the scale and form out of proportion of its original form. It was also concluded that even if the building was accepted as a “re-use” it still amounts to inappropriate development in the Green Belt.

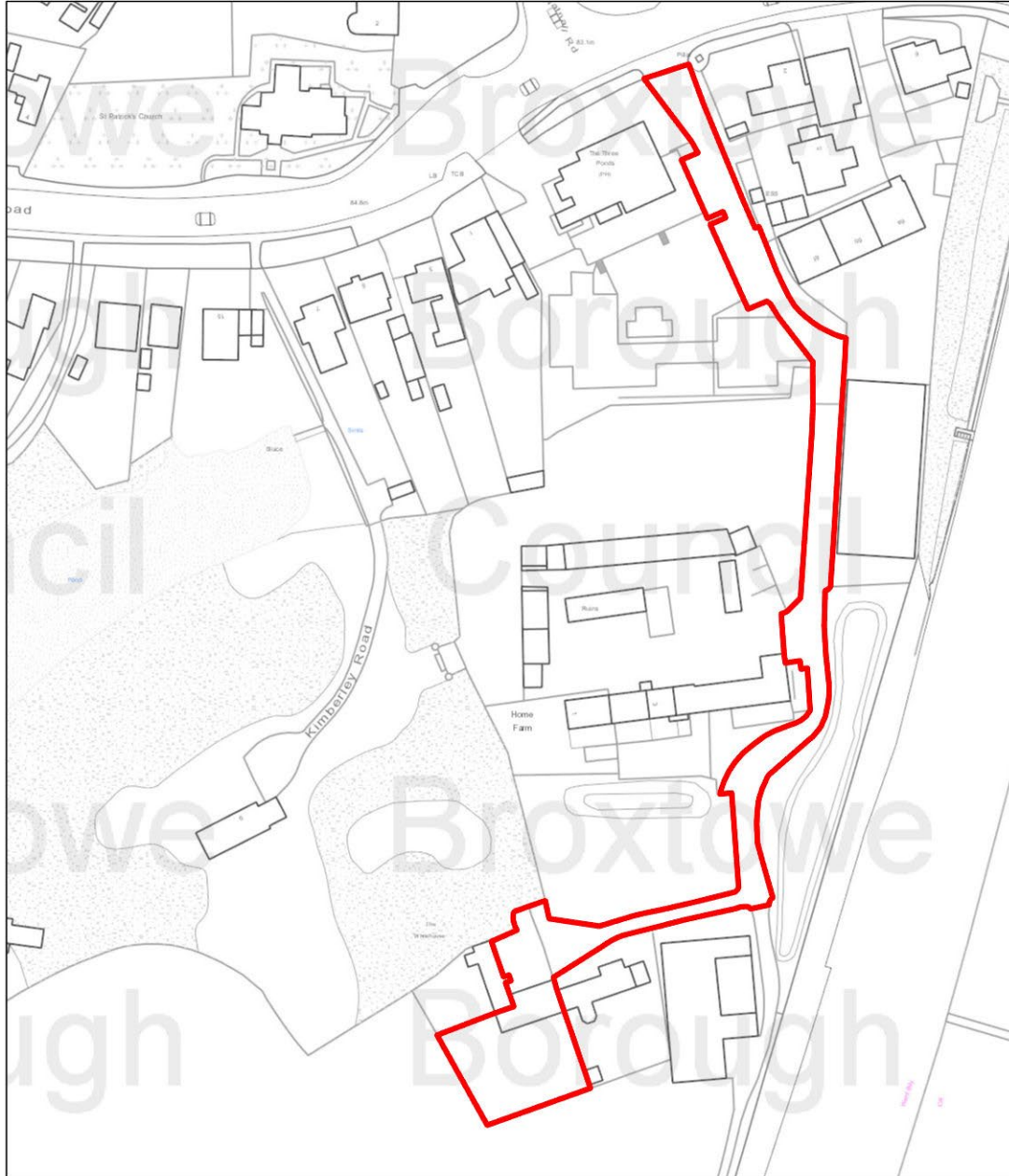
The Inspector accepted that the combination of no outlook and very little light from a sun tube to one of the bedrooms was unacceptable in respect of living conditions for an occupant of the room and no condition would be enforceable to suggest this to not be a habitable room.

The Inspector did not accept that any compelling evidence had been put forward by the appellant to evidence that the retention of the dwelling would contribute towards the cost of the restoration of the listed buildings at Home Farm.

The Inspector concluded that the development represented inappropriate development in the Green Belt and harm was caused to the living conditions of the occupiers in respect of natural light and outlook. No other identified very special circumstances had been demonstrated.

**22/00650/FUL The White House and Three Chimneys**

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 Site

