

## Report of the Chief Executive

**APPEAL DECISION**

**Reference number:** 18/00807/FUL  
**Proposal:** Construct two storey and first floor side and single storey rear extensions  
**Site address:** 14 Willesden Green, Nuthall, NG16 1QF

**APPEAL DISMISSED FOR TWO STOREY AND SINGLE STOREY REAR EXTENSIONS  
APPEAL ALLOWED FOR FIRST FLOOR SIDE EXTENSION**

The application related to a two storey side extension on the east side of the dwelling, a first floor side extension above a garage on the west side and a single storey rear extension. The Council refused planning permission as the two storey side extension was considered to be a dominant addition that failed to respect the proportions and design of the existing dwelling. There was no objection to the first floor side extension or single storey rear extension.

The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the host dwelling and the area.

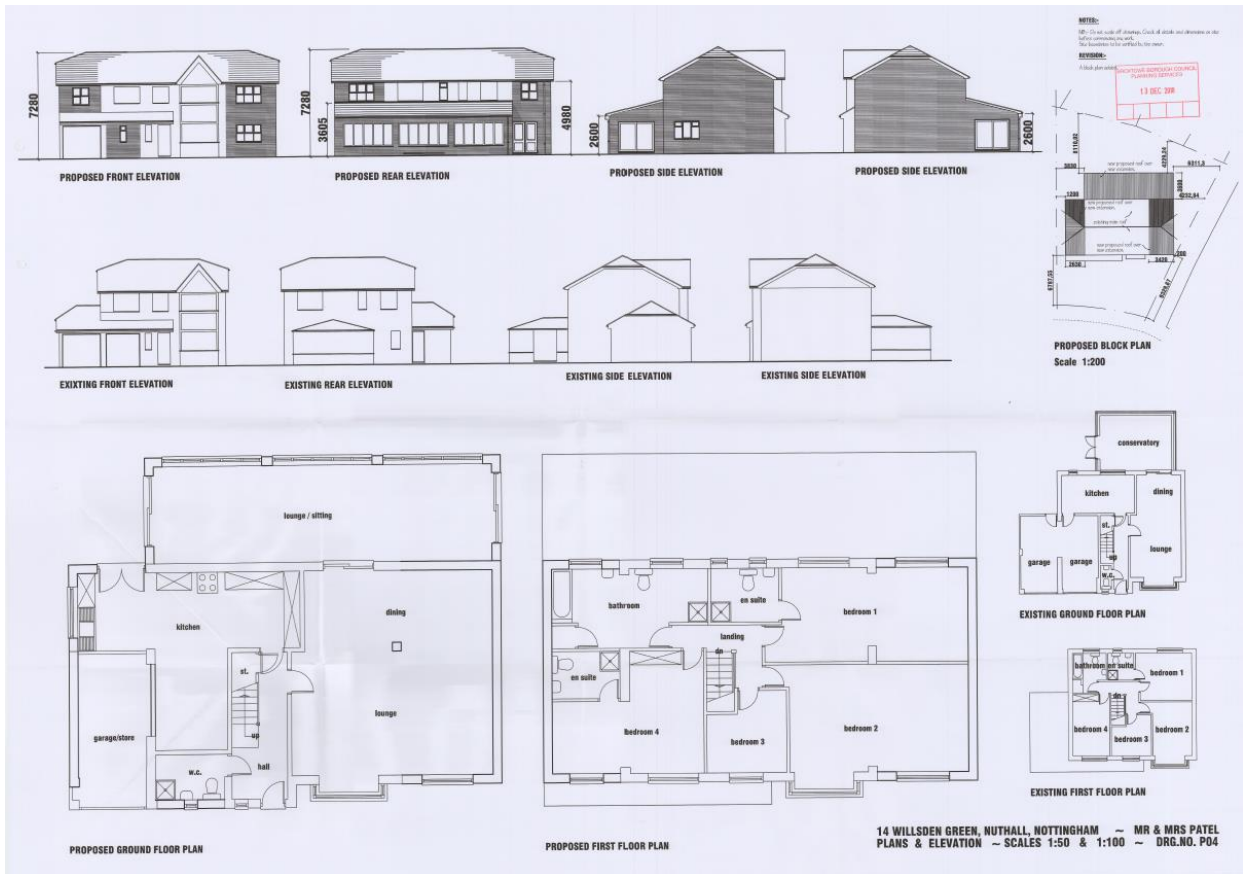
In respect of the two storey side extension, the Inspector concluded that the scale and size of the proposed extension would result in an unsympathetic addition to the property significantly altering its appearance. Accordingly, it would have a harmful effect on the host dwelling and the character and appearance of the area.

As the first floor side extension was physically and functionally severable from the two storey side, the Inspector concluded that permission could be granted for this element. As the single storey rear extension was attached to the two storey side extension, this could not be separated from the unacceptable element of the proposal and therefore was not granted permission.



**Legend**

 Site



**APPEAL AND COSTS DECISION**

**Reference number:** 18/00808/ROC  
**Proposal:** Variation of condition 1 of planning ref: 17/00245/REM  
**Site address:** 178 Moorgreen, Newthorpe, NG16 2FE

**APPEAL ALLOWED  
COSTS APPLICATION DISMISSED**

The application sought to regularise the dwelling which had not been completed in accordance with the approved plans. The main change related to the installation of six roof lights to allow for first floor accommodation. Planning permission was refused by the Planning Committee as it was considered that the dwelling, as built, was inappropriate development in the Green Belt and that very special circumstances had not been demonstrated.

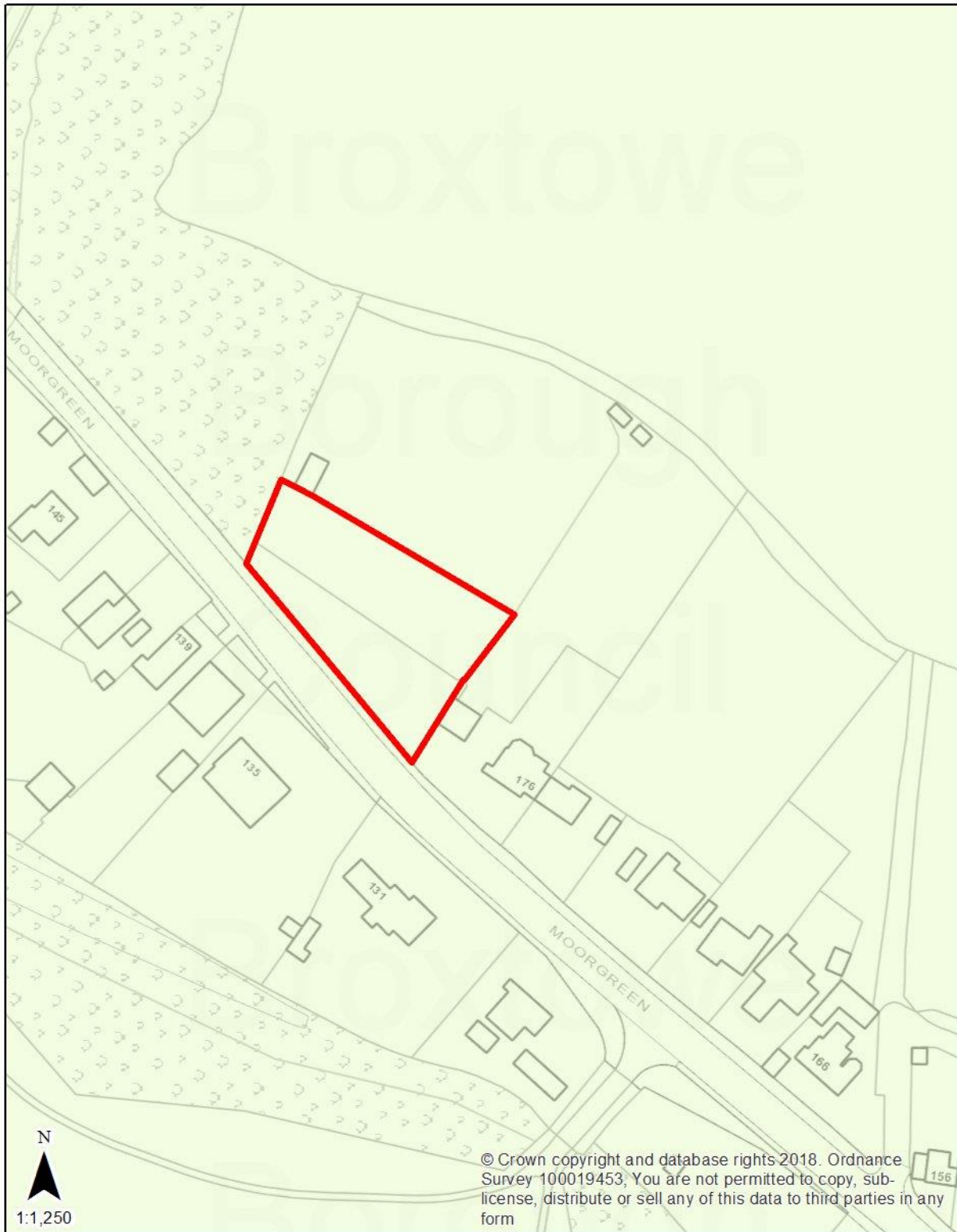
The Inspector considered that the main issues were whether the proposal would be inappropriate development in the Green Belt and the effect on openness and whether very special circumstances exist to justify it.

The Inspector concluded that the new dwelling was inappropriate development in the Green Belt. However, as the dwelling is now an established component in the landscape and the changes from the approved plans have not had a substantial effect on openness, the appeal scheme has only had a very limited harmful impact.

The Inspector highlighted that the Council had concluded that very special circumstances existed when determining the original outline application and that the fundamental reason for approval remains as relevant today as it was then. The Council's reasoning that creating habitable rooms at first floor undermines the original decision, was considered unconvincing as the plans showed all the required facilities for single storey living located on the ground floor. The extant permission was also a significant fall-back position which would be considered as a very special circumstance in its own right. For the above reasons, it was concluded sufficient very special circumstances exist and the appeal was therefore allowed.

It was concluded that permitted development rights could not be removed for extensions and roof alterations as this should only be done in exceptional circumstances. Protecting the openness of the Green Belt was not considered to be an exceptional circumstance.

The costs application was dismissed as Members were entitled to evaluate the merits of the case, particularly the matter of special circumstances which in this case were particularly finely balanced. Therefore, the decision had not resulted from unreasonable behaviour.



**Legend**

-  Site
-  Green Belt (Local Plan)