

Report of the Chief Executive**APPEAL DECISION**

APPLICATION NUMBER:	18/00417/FUL
LOCATION:	43 Victoria Street Kimberley Nottinghamshire NG16 2NH
PROPOSAL:	Extension to front and change of use from office to dwelling and workshop into domestic garage

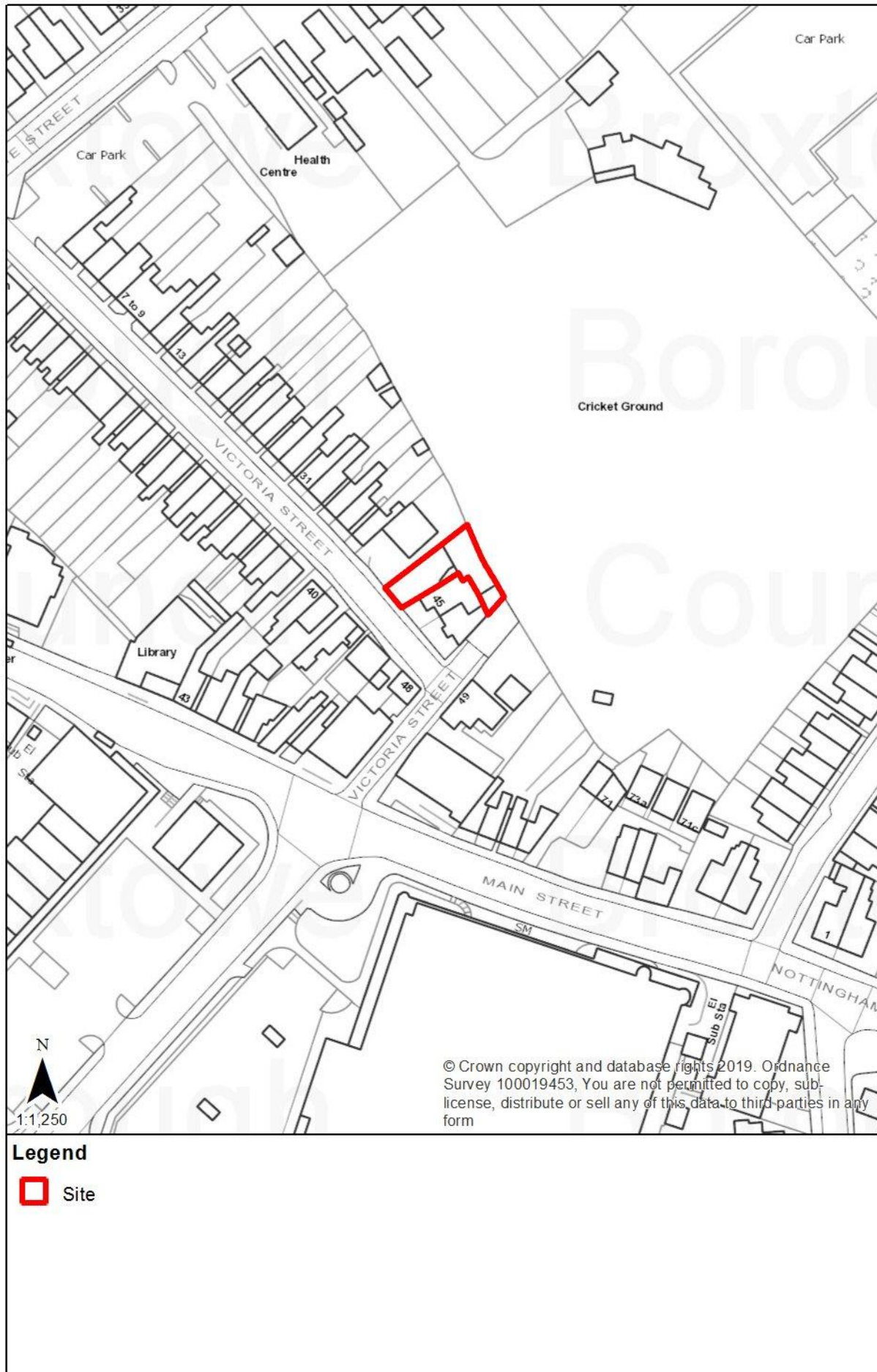
APPEAL DISMISSED

The application related to a proposal to change the use of an office and workshop into a residential dwelling and domestic garage. The proposal included plans to extend the building to the front along with external alterations to make the change of use possible. The Council refused planning permission as the proposed development was considered to represent a cramped and contrived development that would not provide a sufficient standard of amenity for future occupiers.

The Inspector considered the main issues to be whether the proposed development would provide a sufficient standard of amenity for future occupiers with specific regard to outdoor amenity space.

The Inspector concluded that due to the limited space to the rear, its configuration and the potential for overlooking from the cricket field, that the proposed dwelling would not provide a satisfactory level of private amenity space for future occupiers of the premises. The Inspector also considered that the distance from the bedroom windows to the rear boundary created potential for unacceptable overlooking from the cricket field that would adversely affect the living conditions of future occupiers.

For these reasons the Inspector concluded that the private amenity space would be of a scale that would fail to meet the needs of future occupiers and that these factors would indicate that the proposal would represent a cramped form of development.



APPLICATION NUMBER:	19/00035/FUL
LOCATION:	Swancar Farm Country House Swancar Farm Nottingham Road Trowell Moor Trowell NG9 3PQ
PROPOSAL:	Site Portacabin and screening for storage for a temporary 3 years period (resubmission)

APPEAL DISMISSED

The application related to the siting of a portacabin adjacent to the northern elevation of Swancar Farm Country House and a 2.6m high fence that would be erected around the portacabin. Permission was sought for a temporary three year period. The Council refused planning permission as the site lies within the Green Belt and the proposed portacabin and associated screening is not considered to represent any form of appropriate development and would be harmful to the open character of the Green Belt. There were not considered to be any very special circumstances of sufficient weight that outweigh the identified harm to the Green Belt.

The Inspector considered the main issues to be whether the proposed development would be inappropriate development in the Green Belt, the effect of the proposal on the openness and purposes of the Green Belt, and if the development would be inappropriate whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

The Inspector considered that the portacabin would result in additional built form into an undeveloped part of the site. Consequently in both spatial and visual terms the development would have a greater impact on the openness of the Green Belt than the existing circumstances. This would be contrary to the NPPF where it states that an essential characteristic of the Green Belt is openness and permanence.

With respect to the case for very special circumstances put forward by the applicant the Inspector was unconvinced that space could not be made available in the existing buildings. The Inspector therefore concluded that other considerations did not outweigh the identified harm caused by the proposed development.

