



## Planning Committee

12 September 2019

## Planning Appeals

### Report of the Executive Manager – Communities

<b>LOCATION</b>	<b>63 Moor Lane, Gotham</b>
<b>APPLICATION REFERENCE</b>	<b>18/02716/OUT</b>
<b>APPEAL REFERENCE</b>	<b>APP/P3040/W/19/3224712</b>
<b>PROPOSAL</b>	<b>Development of one detached dwelling with new access (Outline application with all matters reserved except for access)</b>
<b>APPEAL DECISION</b>	<b>Allowed</b>

#### OBSERVATIONS

The appeal related to the refusal of planning permission of an outline application with all matters reserved except for access for one detached dwelling. The main issue considered by the Inspector was the effect of the development on the Green Belt.

The terms 'limited' and 'infilling' are not defined in the development plan or the Framework, however the definitions suggested by the council and the appellant were similar. The inspector outlined that there was no defined settlement village boundary, but physical circumstances of a site and its relationship to a settlement are more relevant than a designated village boundary in determining whether a site can be considered to be infill development.

The appeal site is set back from Moor Lane and forms a relatively small gap between an existing bungalow to the west and a dwelling and cattery buildings to the east. The Inspector considered the site is within a clear continuum of development spreading out from the settlement and there is nothing to obviously separate the site from the rest of the settlement. The site is surrounded by built development on two sides and would not extend beyond the existing defined built extent of the settlement. The proposal would be physically and visually related to the existing settlement, and as such the development proposed would be limited infilling in a village. As such it is not therefore inappropriate development in the Green Belt.

The Inspector added that as the effect of development on openness is not expressly stated as a determinative factor in gauging inappropriateness, relating to limited infilling in villages, there is no requirement to assess the impact of the development on the openness of the Green Belt. He also commented that "I see no reason why, given the sites

relationship to existing residential development subject to appropriate layout and design that it could not be developed without causing harm to the character and appearance of the area in accordance with the overall landscape protection aims of Policies EN19 or HOU2 of the Local Plan or the Framework.”

The Inspector therefore concluded that the appeal should be allowed subject to conditions.