



Appeal Decision

Site visit made on 1 September 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/T3725/D/22/3296843

Bridge End, 2 Coventry Road, Stoneleigh CV8 3BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs T Sawdon against the decision of Warwick District Council.
 - The application Ref W/21/0033, dated 6 January 2021, was refused by notice dated 31 March 2022.
 - The development proposed is the erection of a single storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear and side extension at Bridge End, 2 Coventry Road, Stoneleigh CV8 3BZ in accordance with the terms of the application, Ref W/21/0033, dated 6 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development shall be undertaken in accordance with the following approved plans: 2033/RP/01A, 2033/RP/02A, 2033/RP/03A & 2033/RP/04A.
 - 3) The materials of the development hereby approved shall match used in the existing dwelling.

Preliminary matter

2. Although different to that on the application form, the description above, which is used on the decision notice, describes the development before me more accurately.

Main Issue

3. The main issue is whether this proposal constitutes inappropriate development in the Green Belt.

Reasons

4. Policy DS18 in the *Warwick District Local Plan* confirms that national planning policy will be applied to proposals within the Green Belt. In the *National Planning Policy Framework* (the Framework) inappropriate development is said to be harmful, by definition, to the Green Belt, and the construction of new buildings should be regarded as inappropriate in such an area. Framework paragraph 149 then lists exceptions to this, one of which (criterion c) is

'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

This criterion therefore identifies the '*original building*' as the benchmark to be used to assess whether or not subsequent additions are disproportionate. In the Framework's Glossary, the term '*original building*' is then defined as '*a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally*'.

5. The Council contended that this property had been extended already by some 83.6%, and so it deemed the development now proposed to be disproportionate. In making that calculation though, it had disregarded parts of the property that had been present on 1 July 1948 but had since been demolished. The Council did not clearly explain why it took this approach. I accept that sometimes there can be uncertainty about the size of elements that are no longer present, or maybe about precisely when they were removed, but neither of those issues appear to arise in this instance. Rather, on the evidence before me it seems to be accepted that the '*building as it existed on 1 July 1948*' included now-demolished parts, with the size of those parts being broadly agreed. Therefore, on a plain reading of the Framework, when considering whether subsequent and proposed extensions are cumulatively disproportionate, I see no reason why the demolished parts should not be taken into account when defining the '*original building*'. Indeed, if the intention had been otherwise, it would have been open for Framework paragraph 149(c) to be worded differently.
6. If the size of the '*original building*' included the demolished parts, I was told the existing extensions amounted to an appreciably smaller addition in percentage terms, when compared to the building as it stood on 1 July 1948. Either way though, whether the 83.6% figure was used, or the appreciably lesser one that took account of the demolished parts, the Council said the cumulative size of additions meant the works were contrary to Framework paragraph 149(c) and Local Plan Policy H14 and so the proposal should be deemed inappropriate development.
7. Beyond the wording of paragraph 149(c) and the Glossary definition given above, the Framework does not define what constitutes disproportionate or how it should be measured. Local Plan Policy H14 states, in its supporting text, that it is not possible to define what is considered to be a disproportionate addition. It goes on to say though that, '*as a guide*', in the Green Belt extensions representing an increase of more than 30% to the gross floorspace of the original dwelling are likely to be considered disproportionate.
8. However, Local Plan Policy H14 is headed '*Extensions to Dwellings in the Open Countryside*', and it specifically states that, for the purposes of the policy, the open countryside is defined as areas other than (among other places) Limited Infill Villages. As the appeal property is in the defined extent of the Limited Infill Village of Stoneleigh, a village that is washed over by the Green Belt, it is therefore not in the open countryside and does not fall under the policy's heading. There is also nothing in the text to imply this guide figure of 30% should be applied to areas in the Green Belt other than those defined as open countryside. I therefore have no reason to consider that this policy and its terms are directly applicable to the scheme before me.

9. Given this, the Council offered no specific figure as to what it deemed to be disproportionate additions to dwellings in Limited Infill Villages. However, mindful that such development was consciously excluded from Local Plan Policy H14, it is reasonable to assume a different figure to the one that policy offers would be applied in this instance. Moreover, Local Plan Policy H14 is to protect the open countryside from any adverse effects, its figure is said to be a guide only, and it emphasises that whether or not works are disproportionate will be dependent on various factors including scale and design, the location of the property, and their impact on the wider area. It is therefore reasonable that in this Limited Infill Village context, a greater percentage increase would be acceptable.
10. If the demolished parts are taken into account, the proposal would mean that, cumulatively, extensions would increase the size of the building as it existed on 1 July 1948 by some 38% to 40%. The works would be of a scale and design that would be discrete, relating well to the building and not having an unduly dominant, striking, or discordant impact on the wider area. Given the guide figure of 30% for additions to houses in the open countryside, I therefore find such a degree of enlargement would not be disproportionate in this context.
11. Accordingly, I conclude that what is before me would not result in disproportionate additions over and above the size of the original building. It would therefore not be inappropriate development under paragraph 149(c) in the Framework, and so would not conflict with Policy DS18 in the Local Plan.

Other Matters

12. This is a Grade II listed property that dates from the 17th Century, and was originally a row of cottages but is now a single dwelling. The older part of the building fronts the highway. It is timber-framed with brick infill panels, and has window treatments that, although maybe more recent, are nonetheless sympathetic to its character and appearance. Such elements contribute to its special architectural and historic interest and result in its significance being historic and architectural.
13. Along virtually all of the rear elevation of this older part have been built modern extensions, and the boot room is to be added onto these. Although of a design that respects the historic character of the building, it is nonetheless separated from that older part. The proposed wet room and its associated alterations would be closer to the front element, but would still be of a sensitive design. Overall, I also find that the proposal would not result in addition to the older part of the building being any more dominant or overwhelming than at present. If a condition was imposed requiring the works' materials to match the existing building, I therefore find they would preserve the building and any features of special architectural or historic interest that it possesses, and not harm its significance.
14. The significance of the Stoneleigh Conservation Area lies partly in the way it comprises a collection of buildings and intervening spaces that reflect the organic evolution of this historic rural settlement. Bridge End therefore makes a positive contribution to this significance. Given my findings above in relation to the effect on this listed building, and noting too the discrete and sympathetic nature of the works, I consider they would preserve the character and appearance of the conservation area and not harm its significance.

Conditions

15. Apart from the condition concerning materials discussed above, a condition requiring development in accordance with the approved plans is also necessary for the avoidance of doubt.

Conclusion

16. I conclude the appeal should be allowed.

JP Sargent

INSPECTOR