



Appeal Decision

Site visit made on 27 February 2024

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th March 2024

Appeal Ref: APP/Q3115/D/23/3326017

Penstemon House, Marsh Baldon, Oxford, OX44 9LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Goulder against the decision of South Oxfordshire District Council.
 - The application Ref is P23/S0909/HH.
 - The development proposed is the erection of an extension at rear of property over existing single storey section to create 1st floor annexe.
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Decision

1. The appeal is allowed and planning permission is granted for an extension at rear of property over existing single storey section to create 1st floor annexe at Penstemon House, Oxford, OX44 9LS in accordance with the terms of the application, Ref P23/S0909/HH, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans - PA101, PA102 REV B, PA104 REV B, and PA105 REV A received on 10 March 2023.

Preliminary Matter

2. I have considered the proposal in respect of site plan PA102 Rev B as that is the version that Council based its decision on.

Main Issues

3. The main issues are:
 - Whether inappropriate development in the Green Belt;
 - Whether the proposal and previous extensions would result in a disproportionate addition over and above the size of the original dwelling; and
 - The effect on the openness of the Green Belt

Reasons

Background

4. The appeal site comprises a detached house which lies in the village of Marsh Baldon which is washed over by the Oxford Green Belt. The house is said to date from 2002 and is two storey with single storey extensions at the side. There is a high wall close to the rear of the house and on the northern side of this is a single storey garage, stables and a single storey 'Den' constructed in timber. It is this building that the proposal seeks to extend by the construction of a first floor to provide annexe accommodation for a person providing assistance with child care.

Whether inappropriate development

5. The National Planning Policy Statement (the Framework) indicates that inappropriate development is harmful to the Green Belt and should not be permitted unless very special circumstances apply. In more detail, paragraph 154 says that the construction of new buildings should be regarded as inappropriate unless one of the stated exceptions apply. In this case the relevant category is (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling. The Framework defines 'original dwelling' as it existed on the 1st July 1948 or if constructed subsequently, as it was built originally.
6. The Council refers to Local Plan Policy STRAT6 but this mainly restates national policy in the Framework and does not provide further guidance on the assessment of what constitutes a disproportionate addition. I have noted the provisions of the Council's supplementary Joint Design Guide 2022 but this appears to relate to proposed extensions to any dwelling and its affect on the local area and the street scene.
7. At the site visit I considered the extent of the original dwelling as built about 2002. Although subsequently there has been a new addition added between the house and the rear garden wall, this does not materially increase the bulk of the original dwelling. The proposed additional floor above the Den would not add materially to the scale of the original dwelling and physically and visually would relate well to its design and bulk. On the evidence put to me I find that the proposal would not result in a disproportionate addition to the original dwelling and as such it is not inappropriate development.

Effect on openness

8. The Council also says that the proposed addition would harm the openness of the Green Belt. It is generally established that this can have both visual and spatial dimensions. In visual terms, the proposed addition would hardly be seen from the public realm along Baldon Lane as it would be screened by the height and position of the house. Viewed from the more open land to the north the additional floor would largely be seen against the backdrop of the property and would not intrude into the openness of the Green Belt. Neither would the addition be intrusive in spatial terms.

Planning and Green Belt balance

9. On the main issues I found that the proposal would not be inappropriate development as the additional floor would not result in a disproportionate

addition to the original property as built, taking into account more recent extensions. Neither would the proposal harm the openness of the Green Belt. As such I find that there is no conflict with the provisions of the Framework or Policy STRAT6. This finding is not outweighed by any other consideration and therefore the appeal should be allowed.

Conditions

10. The Council recommends that only standard conditions are needed in respect of the timing of the implementation of the development; external materials to match the existing building, and accord with the approved plans. I agree and will impose them.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR

