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# Appeal Decision

Site visit made on 28 June 2024

**by S. Hartley BA (Hons) Dist.TP (Manc), DMS, MRTPI, MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 July 2024**

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**Appeal Ref: APP/J3720/D/24/3343232**

**Bumblebee Barn, Coughton Lane, Coughton, Warwickshire B49 5HP**

- 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 Adrian Dobbins against the decision of Stratford-on-Avon District Council.
  - The application Ref is 23/03368/FUL.
  - The development proposed is a single storey garage.
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## Decision

1. The appeal is allowed, and planning permission is granted for a single storey garage at Bumblebee Barn, Coughton Lane, Coughton, Warwickshire, B49 5HP, in accordance with the terms of the application ref 23/03368/FUL, and subject to the following conditions: -
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2453/3 Rev B.
  - 3) 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 known as Bumblebee Barn.

## Main Issues

2. The appeal site is located within the West Midlands Green Belt. The main issues are (i) whether the proposed extension is inappropriate development within the Green Belt; (ii) the effect of the development upon the character and appearance of the area and (iii) if the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to very special circumstances to justify development.

## Reasons

*Whether inappropriate development in the Green Belt*

3. The proposed garage would be positioned about nine metres from the dwellinghouse. In this case, owing to its close position and relationship with the dwellinghouse, as well as its associated residential use, I find that it would be experienced as being a normal domestic adjunct. It would not be seen or

experienced as a separate element to the main dwellinghouse. Therefore, and, notwithstanding the contrary view expressed by the Council, I find that the proposed garage would constitute a close physical extension to the original building on the site. I reach this view based on my own professional judgement and notwithstanding the fact that in the judgement of *Sevenoaks District Council v Secretary of State for Environment* (1997) the judge considered a separation distance of six metres for the proposed outbuilding as being a '*normal domestic adjunct*'. I have determined this appeal on its individual planning merits and based on the site conditions of the appeal site.

4. Paragraph 152 of the National Planning Policy Framework 2023 (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 154 of the Framework makes it clear that, other than in specified circumstances, the construction of new buildings is inappropriate development, though subject to specified exceptions, including at paragraph 154 (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 building.
5. The Framework does not include a definition of what constitutes a disproportionate addition over and above the size of the original building. Furthermore, I have not been referred to any development plan policy or local guidance which defines what is a disproportionate addition. There is no evidence that the original dwellinghouse on the land has been extended to date. The local planning authority does not dispute the appellant's claim that the garage would constitute 30% of the volume of the original building on the site.
6. I have also been able to judge the size of the proposed garage against the existing dwellinghouse based upon my site visit and the submitted plans. In my judgement, the proposed garage would not amount to a disproportionate addition to the original building on the site.
7. For the above reasons, I conclude that the proposed development would amount to an extension to the original building on the land. Furthermore, it would not amount to a disproportionate addition over and above the size of the original building. Therefore, the proposal would not amount to inappropriate development in the Green Belt. Consequently, there would be no conflict with the Green Belt requirements of chapter 13 of the Framework, or policy CS.10 of the 2016 Stratford-on-Avon District Core Strategy 2011-2031. Given this conclusion, it has not been necessary for me to consider whether there are other considerations which would amount to very special circumstances necessary to justify the proposed development within the Green Belt.

#### *Character and appearance*

8. The local planning authority (LPA) acknowledges that the single storey garage would be acceptable in terms of its design, commenting that it would be '*in keeping with the agricultural setting and would be of a similar design and appearance to the barn conversion dwelling*'. I do not disagree with this view and find that it would be closely aligned with the dwellinghouse and would not appear as a remote or isolated domestic outbuilding when viewed by passers-by. Owing to its size, height, position, and the existence of boundary

landscaping, I do not find that the proposed development would cause harm to the essentially open and rural character of the area.

9. The LPA states that if one were to take the view that the proposed garage was an extension, as I have done, there would be conflict with the Council's Development Requirements Supplementary Planning Document 2018 (SPD) which states, in respect of works to traditional agricultural buildings, *'extensions will not normally be acceptable. Small outshuts or lean-tos in the traditional manner may, however, be acceptable where necessary to link buildings. Domestic porches, other small extensions and conservatories will not be acceptable. Extensions subsequent to the initial conversion are unlikely to be permitted'*.

10. I have emphasised the words '*not normally*' and '*unlikely*' above. This is to make the point that the SPD, would not prohibit all extensions. In this regard, I do not find that there is specific conflict with the SPD and, for the reasons outlined above, do not find that the proposal would cause harm to the character and appearance of the area.

11. Therefore, the proposal would accord with the design, character and appearance requirements of chapter 12 of the Framework and the SPD.

### **Conditions**

12. I have attached the standard time limit condition. It is necessary to impose a drawing condition, in the interests of certainty and for the avoidance of doubt. In the interests of good design, and the character and appearance of the area, a materials condition is necessary.

### **Conclusion**

13. For the reasons outlined above, I conclude that there are no matters that indicate the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

*S. Hartley*

INSPECTOR