



Appeal Decision

Site visit made on 12 March 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 May 2025

Appeal Ref: APP/C3105/D/24/3349908

6 Railway Cottages, Shipton on Cherwell OX5 1JP

- 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 Thomas Pawlowicz against the decision of Cherwell District Council.
 - The application Ref is 24/00779/F.
 - The development proposed is 1 metre extension to existing ground floor with new first floor extension over.
-

Decision

1. The appeal is allowed and planning permission is granted for a 1 metre extension to existing ground floor with new first floor extension over in accordance with the terms of the application Ref 24/00779/F, 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 hereby permitted shall be carried out in accordance with the following approved plans: 1343/1 (existing plans / elevations), 1343/2B (location / site plan), 1343/3E (proposed floor plan) and 1343/4B (proposed elevations).
 - 3) The materials to be used on the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies.

Reasons

3. The appeal site is a semi-detached two storey cottage located in open countryside just outside the built-up area of the village of Shipton on Cherwell. It is within the Green Belt. The cottage has been extended to the side with a single storey pitched roof addition. The dwelling sits within a large plot with garden areas extending around three sides with a range of outbuildings.

Whether inappropriate development in the Green Belt

4. The Framework states at paragraph 154 that development in the Green Belt is inappropriate unless one of a number of listed exceptions apply. These include 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. Policy ESD14 of the Cherwell Local Plan 2011-2031 Part 1 (CLP) states that development proposals within the Green Belt will be assessed in accordance with government guidance contained in the Framework and National Planning Policy Guidance (NPPG). Neither the Framework, the NPPG nor the above policy indicate what is to be considered as a 'disproportionate' addition.

5. The Council estimates that the proposal when taken together with previous extensions would amount to an 81% increase in the volume of the original dwelling, that is as existed in July 1948, a figure which the appellant does not dispute. The Council goes on to suggest that this would be a disproportionate addition. In this regard, whilst the appellant has suggested that the Council use a 50% 'rule of thumb' volume increase to assess what would constitute a disproportionate addition, the Council has not provided any relevant policy guidance nor evidence to substantiate the use of such a measure.
6. The proposed first floor and side additions would add to the existing single storey side extension. However, the resulting extension would have a smaller footprint and lower eaves and ridge height compared to the original cottage which is that part of the existing cottage of full two storey height attached to the neighbouring semi-detached cottage. As such it would be of noticeably smaller scale than and of subservient size to the original cottage which whilst of reasonably modest proportions, would not be significantly increased in overall size as a result of the proposal.
7. Overall, whilst clearly adding bulk to the original dwelling, I find that it would not comprise a disproportionate addition and, as a result, it would not be inappropriate development in the Green Belt. It would thereby satisfy paragraph 154(c) of the Framework and accord with CLP Policy ESD14. Given my findings above, it is not necessary for me to consider the effect on Green Belt openness or the purposes of the Green Belt.

Other considerations

8. The Council has not identified any other harm in the reason for refusal, though the officer report states that there are elements of the design that 'weigh against the proposal'. However, I consider that the proposed extension would be a sympathetic addition, reflecting the design features of the existing cottage such as its stone work and quoins, pitched roof in matching plain roof tiles, multi-paned windows and small dormer window set in the eaves. It would also complement the linear built form of the existing pair of semi-detached cottages. Therefore, the proposal would accord with the relevant CLP Policies and policies of the Framework that seek well-designed places that function well and add to the overall quality of the area, are visually attractive and sympathetic to local character.

Conclusion

9. I conclude that the proposed extension would not be inappropriate development in the Green Belt. There would be no other harm arising and overall the proposal would comply with the development plan and with the Framework.
10. I have considered the conditions suggested by the Council and agree that these should include one to relate to the approved plans in the interest of clarity and proper planning and one to require matching materials in the interest of the

character and appearance of the host building and visual amenity of the wider rural area.

11. It is therefore concluded that the appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR