



Appeal Decision

Site visit made on 03 June 2025

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2025

Appeal Ref: APP/J3720/D/25/3361614

Proposal: Two and single storey rear extension to extend kitchen, dining room, utility and 1no. bedrooms on first floor. Garage conversion to snug room at Cedar House, Cut Throat Lane, Hockley Heath, Warwickshire B94 6SE.

Application Ref: 24/02423/FUL.

Decision – planning permission is granted

Preliminary matter

1. The description of the proposal has been amended to that stated on the decision notice and the appeal form. This better reflects the development indicated on the submitted plans.

Reasons

Issue – Whether inappropriate development in the Green Belt

2. In so far as it relates to this appeal, policy CS.10 of the Council's Core Strategy¹, is broadly consistent with the equivalent parts of the National Planning Policy Framework (the Framework).
3. Framework paragraph 154 indicates that development in the Green Belt is inappropriate unless a stated exception applies. One such exception 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.
4. What is disproportionate in the context of extensions to buildings in the Green Belt, is not defined in either the Framework or policy CS.10 of the Core Strategy. It must therefore be assessed on a case-by-case basis.
5. The building on the appeal site has been constructed in recent years, and in terms of its exterior appearance and dimensions, I have no reason to doubt that it stands as it was built originally. It may therefore be regarded as the original building.
6. Albeit the development would result in the building projecting several metres further back into the rear garden, most of this would be in place of an existing hard standing. Furthermore, and unlike the house, most of the extension would be single-storey and have a flat roof. Also, there would be no overall increase in the height of the building. As such, and although there would be a fairly large uplift in

¹ Stratford-on-Avon District Council – Core Strategy – 2011 to 2031

the footprint of the building, the overall increase in its volume, floorspace and external dimensions would be modest.

7. For these reasons, the appeal scheme would not result in disproportionate additions over and above the size of the original building. Consequently, it would not be inappropriate development in the Green Belt, and it would accord with Core Strategy policy CS.10. That being the case, there is no need to consider the effect of the scheme on the openness of the Green Belt.

Issue – effect on the living conditions of the occupiers of Aspen House with particular regard to outlook

8. Parts of the development would be visible through rear-facing windows in Aspen House and from the rear garden of this neighbouring property. However, the extension would be set away from the site's shared boundary with Aspen House by a narrow walkway. Furthermore, the 2-storey part of the extension would have a gabled roof, and in terms of its height and area, it would only infill part of the envelope between the main part of the house and its rear gable.
9. Although the single-storey part of the extension would project several metres further back than the rear of Aspen House, it would mainly have a flat roof. As such and due to the intervening tall close-boarded fencing, only a small portion of it would be visible from the garden and through the rear-facing, ground-floor glazing of this neighbouring property.
10. For these reasons, the development would not be unduly prominent through either the rear-facing glazing that serves the main living rooms in Aspen House, or from the outdoor seating area to the rear of its kitchen. Instead, users of these spaces would retain a good outlook over and above the property's sizable rear garden.
11. Consequently, the development would not harm the living conditions of the occupiers of Aspen House with particular regard to outlook, and accords with the policies cited in the decision notice.

Issue – effect on highway safety

12. There would continue to be space for 2 cars to be parked on the hard standing to the front of the dwelling. Although the garage would be lost, its dimensions and the width of its main door are such that it does not meet the minimum size requirements set out within the SPD cited on the decision notice. Moreover, the garage, which had shelving and appliances within it, appeared to be in use for household and garden storage purposes, and I have no reason to doubt that this is ordinarily the case. For these reasons, and in the absence of an alternative bike, garden and domestic store, the garage is not likely to be routinely used for car parking purposes.
13. The existing plans show that the house has 3 bedrooms and a first-floor office which is a similar size to bedroom 3. On the basis that this 'office' can easily and interchangeably be used as a 4th bedroom, the development would not increase the number of bedrooms that could be provided within the property. The appeal scheme is not therefore likely to result in additional pressure for parking above that which could currently be reasonably expected.
14. For these reasons, the development would not cause harm to highway safety and it would accord with the related policy cited in the decision notice.

Other matters

15. Even if a reason for removing certain permitted development rights on planning permission ref 18/02841/FUL was to prevent harm being caused to the openness of the Green Belt, this does not mean all such works would be harmful. Instead, it enables works that would otherwise be permitted development - which include hard surfaces incidental to the enjoyment of a dwellinghouse, to be assessed on an individual basis.

Conclusion

16. The proposal complies with the development plan as a whole and nothing indicates a decision otherwise.

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 drawing nos; 03–location plan, 04–block plan, and 02 rev C–proposed building.
Reason: Certainty
- 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.
Reason: Protect character and appearance of area

V Simpson

INSPECTOR