

APPEAL STATEMENT

Site: Amberwell House, Beech Road, Box Hill, Corsham SN13 8EU

Appellant: Samuel Beggs

Introduction

This appeal concerns the refusal of the planning application **PL/2026/01576** for the erection of a modest two-bay timber car port, measuring 30 square metres, within the residential curtilage of Amberwell House, Box Hill. Amberwell is a detached period dwelling on the Lower Common, Box Hill. It occupies a sloping, terraced plot of around 2500 square metres, which includes a large garden with mature trees and extensive hedging.

The appeal site lies within the Western Wiltshire Green Belt and the Cotswolds National Landscape. The Local Planning Authority (LPA) raised no objection to any aspect of the planning application other than whether the proposal falls within one of the exceptions set out in paragraph 154 of the National Planning Policy Framework (NPPF). The appellant submits that the proposal falls within the exception contained in paragraph 154(c) of the NPPF, as an extension or alteration to an existing building that would not result in a disproportionate addition over and above the size of the original building.

Reasons given for Refusal

The LPA accepted that the proposed car port would be positioned close to the dwelling but suggested that, because it would be freestanding, it should be regarded as a separate building for Green Belt purposes.

However, the LPA then discussed the possibility that if the proposal were treated as an extension or alteration under NPPF paragraph 154 exemption (c), it would not be disproportionate. Specifically, the LPA writes that:

“The planning history sets out that the property has been previously extended and altered with two-storey extensions and also a conservatory to the west side of the property. It may be that further extensions and alterations have occurred over and above the ‘original building’ beyond what has been recorded in the planning history. This is quite possible given that it is described as a period property and as such the original building is likely to be what existed on 1 July 1948.”

These points and further statements in the Delegated Report establish the principle that the car port might be treated as an extension or alteration ie that they might conform with NPPF paragraph 154 (c). The LPA questions whether the carport would be proportionate in scale when evaluated cumulatively in addition to previous extensions, The refusal relies, in part, on assumptions regarding the extent of the original building and subsequent alterations rather than on a quantified assessment of the available evidence. This appeal will demonstrate that the proposed development falls within the exception in NPPF paragraph 154 (c). In particular, it provides the quantitative assessment of the original dwelling and subsequent additions that the LPA considered had not been sufficiently evidenced.

This document should be read alongside the supporting documents, including the Planning Statement which accompanied the original Planning Application, since together they form the Appellant's full case.

Grounds for the Appeal

The argument for why Paragraph 154 (c) applies

The proposed two-bay car port has an open-fronted, barn-like design reflecting local rural typologies. It would be sited on the existing driveway, adjacent to the existing stone retaining wall which is approximately 5–6 metres from the principal elevation of the dwelling. Together with the mature trees, vegetation, and the fencing above it, this wall already forms a substantial enclosing feature within this part of the site, and it would frame the car port on three sides. The car port would sit on the existing area of compacted rubble and gravel hardstanding. No vegetation would be removed and no previously undeveloped land would be built upon. Between the proposed car port and the dwelling there is no intervening area that could reasonably be perceived as open Green Belt. Instead, the proposal would consolidate existing built form within the established domestic curtilage. This close physical relationship is an important consideration when assessing whether the proposal should be regarded as an extension or alteration for the purposes of NPPF paragraph 154(c). This carport would therefore be perceived as a modest ancillary structure closely associated with the dwelling, which does not represent encroachment into the wider countryside.

The fundamental purpose of Green Belt policy is to prevent urban sprawl by keeping land permanently open. In this case, the proposal would have a negligible effect on the openness of the Green Belt. Owing to its modest scale, its close association with the existing dwelling, and its visually contained position against the retaining wall within the existing landscaping, the car port would not appear as an encroachment into the wider countryside. Rather, it would be experienced as a small ancillary addition to the existing residential property.



The argument for proportionality

The LPA concluded that insufficient evidence had been provided to demonstrate that the proposal would not be disproportionate. The calculations in this section, together with the supporting evidence contained in the Appendices (pages 6–9 in this document) demonstrate that the cumulative additions to the original dwelling are not disproportionate and that the proposal therefore complies with paragraph 154(c) of the NPPF.

Summary Table with calculations [Further information in **Appendix 1**]

	Original pre-1948 (sqm)	Extension First Floor Bedroom (sqm)	Extension Conservatory (sqm)	Extension (Proposed) (sqm)	Porch and Toilet Removed (sqm)	Total Original + Extension – Removed	% sqm Increase
Total	211.3	23.2	19.1	30.0	-7.8	275.8	30.5%
Ground Floor	112.7	4.5	19.1		-7.8	128.6	
First Floor	98.6	18.7				117.2	
Car Port (Proposed)				30.0		30.0	

Evidence and Explanations

Amberwell pre-1 July 1948

There are no plans of the house from pre-1 July 1948. A photocopy of the 1920s Northey Estate sales particulars has been obtained by the current owners, which lists lots 22 and 23, the two semi-detached cottages which now form Amberwell:

Cottage 1 “The cottage contains Living Room, Larder, Washhouse and two Bedrooms”

Cottage 2 “The cottage contains Living Room, Pantry, Washhouse and two Bedrooms”

No dimensions are given but this demonstrates that the house was already a fairly substantial size by the date of the sale. [**Appendix 2**].

Estimated external dimensions of Amberwell in 1948

Based on the evidence provided in **Appendix 1**, the original dwelling is estimated to have had an external footprint of approximately **211.3** square metres.

Extensions to the main dwelling since 1948

The LPA’s Delegated Report refers to “2-storey extensions”, presumably alluding to the 2002 planning application N/02/01057/FUL comprising a small extension to the pre-existing (pre-1948) lean-to extension on the ground floor, resulting an approximate increase of 4.5 square metres; and the construction of a new room above it on the first floor, measuring 18.7 square metres. In 2009, there was a second planning application N/09/02044/FUL for a conservatory to the rear of the house measuring 19.1 square metres.

The combined area of these extensions added to date = **42.3** square metres

Removal of pre-existing structures since 1999

Several structures have been removed from the property, from both the house itself (two structures) and from around the garden (three structures).

1. Removal of a large square porch = 5.95 m^2 (8 ft x 8 ft approx.) from the front of the house



2. Removal of external wc = 1.85 m^2 (4 ft x 5 ft approx.) from the side of the house (lean-to on right hand side)



Total area of extensions removed = $5.95 + 1.85 = 7.80 \text{ m}^2$

Therefore, the total nett addition of extensions to date is calculated at **34.5** square metres

The addition of the car port

If, as suggested by the LPA the car port should be treated as an extension of the main dwelling, because of its close physical relationship with it, then an additional 30 square metres is added to the post 1948 building. Accordingly, the cumulative increase to the post-1948 house is **30.5%**, which, it is argued, would be an acceptable addition under the circumstances.

Removal of outbuildings

In addition, three outbuildings have been removed by the present owners to declutter the site: Outbuildings 1 and 2 marked in yellow on the enclosed map shown in **Appendix 3**.

Outbuilding 3: timber summer house on the lawn, measuring approx. 8 ft x 12 ft = 2.4 m x 3.65 m = 8.76 sq. m. Evidence for the existence of this building is given in **Appendix 4**.

In the Delegated Report, the LPA mentions the only remaining outbuilding, which currently has planning permission for conversion to an annexe: PL/2025/07089 [present on the map in **Appendix 3**]. The LPA suggests tentatively that this outbuilding too might be considered as an extension or alteration of the original building. However, this outbuilding is situated below the driveway and is 25+ metres from the host dwelling. It is not visible from the host dwelling nor from most vantage points on the property, as it is comprehensively screened by a row of established tall trees and high hedging. The conversion work has not yet been undertaken and the start date is unknown. Therefore, it is excluded from the mathematical calculations given here since it is a completely separate structure with no visual connection to the main dwelling.

Precedent

In Section 11 of the Planning Statement, we argued that there was a local precedent from 2023 for the construction of a new garage (PL/2023/04092) at Barberry Cottage, another old stone building in the same postcode as Amberwell, SN13 8EU. That garage measures 6.5m x 6.5 m, and in the Delegated Report it is listed as 1.5 metres from Barberry Cottage. As at Amberwell, that garage sits at right angles to the main dwelling. Although each planning application must be determined on its own merits, the decision at Barberry Cottage demonstrates that the LPA has previously accepted that a modest ancillary building close to a dwelling can preserve Green Belt openness.

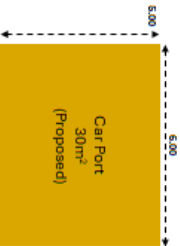
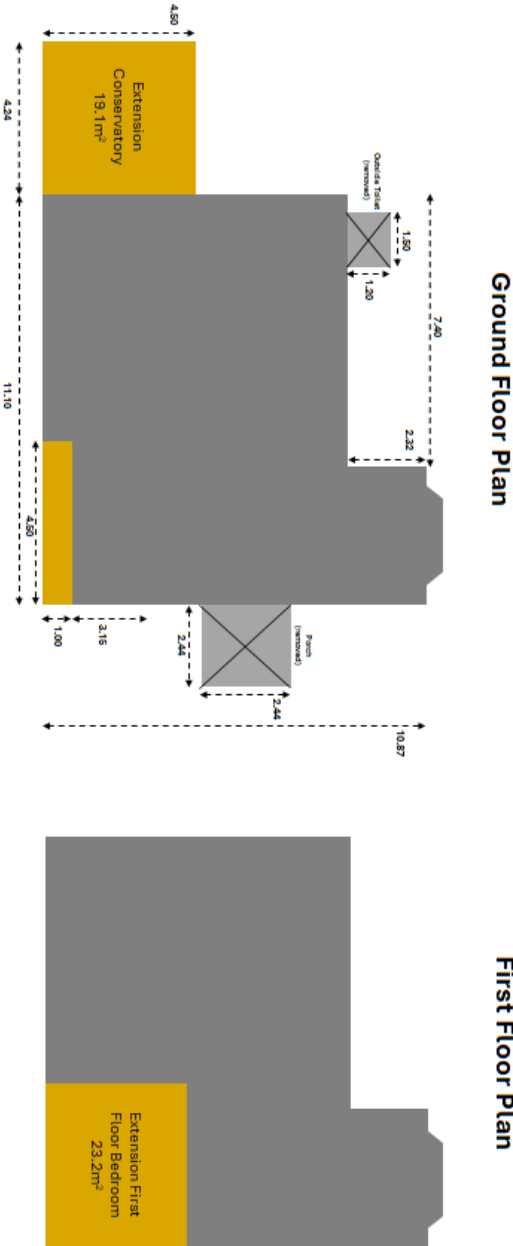
Summary

In summary, the proposed carport represents a modest ancillary addition within the established residential curtilage of Amberwell House. It would not result in any material loss of Green Belt openness, would not extend built development into the surrounding Green Belt, and would not harm the landscape, the character and appearance of the area, residential amenity, or ecology. The proposal should also be viewed in the context of the site's evolution, including the removal of two former extensions to the dwelling (reflected in the calculations), and three outbuildings, thereby reducing the overall amount of built form within the curtilage. The evidence presented in this appeal demonstrates that the cumulative additions to the original dwelling are not disproportionate for the purposes of paragraph 154(c) of the NPPF. Accordingly, the proposal falls within one of the forms of development identified in paragraph 154 as not inappropriate in the Green Belt. The Appellant therefore respectfully requests that the appeal be allowed.

The proposal also attracted local support. Representations in support were received from each of the three immediately adjoining neighbours, and Box Parish Council raised no objection. While these responses are not determinative of Green Belt policy, they reinforce the conclusion that the proposal would not give rise to any identifiable planning harm.

Appendix 1 Calculations and schematic diagrams

	Original pre-1948 (sqm)	Extension First Floor Bedroom (sqm)	Extension Conservatory (sqm)	Extension (Proposed) (sqm)	Porch and Toilet Removed (sqm)	Total Original + Extension - Removed	% sqm Increase
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Drawings approximately to scale
Car port not in actual position

Appendix 2

The 1920s Northey Estate sale of two cottages, 813A, 813B, now combined as Amberwell

LOT 22.

SEMI-DETACHED COTTAGE AND GARDEN,

No. 813A on Plan, situate at Box Hill, and containing an area of about

A.	R.	P.
-	1	21

let to Mr. James Hancock on a quarterly tenancy, subject to three months' notice, at £7 14 4 per annum, Landlord paying Rates.

THE COTTAGE contains Living Room, Larder, Washhouse and two Bed-rooms.

OUTGOINGS.

Impropriate Tithe Rent Charge (apportioned for purposes of Sale), commuted amount

£0 3 4

LOT 23.

SEMI-DETACHED COTTAGE AND GARDEN,

No. 813B on Plan, situate at Box Hill, and containing an area of about

A.	R.	P.
-	1	8

let to Mr. J. Simpkins on a quarterly tenancy, subject to three months' notice, at £8 1 4 per annum, Landlord paying Rates.

THE COTTAGE contains Living Room, Pantry, Washhouse and two Bed-rooms.

Company's water is laid on to this Lot.

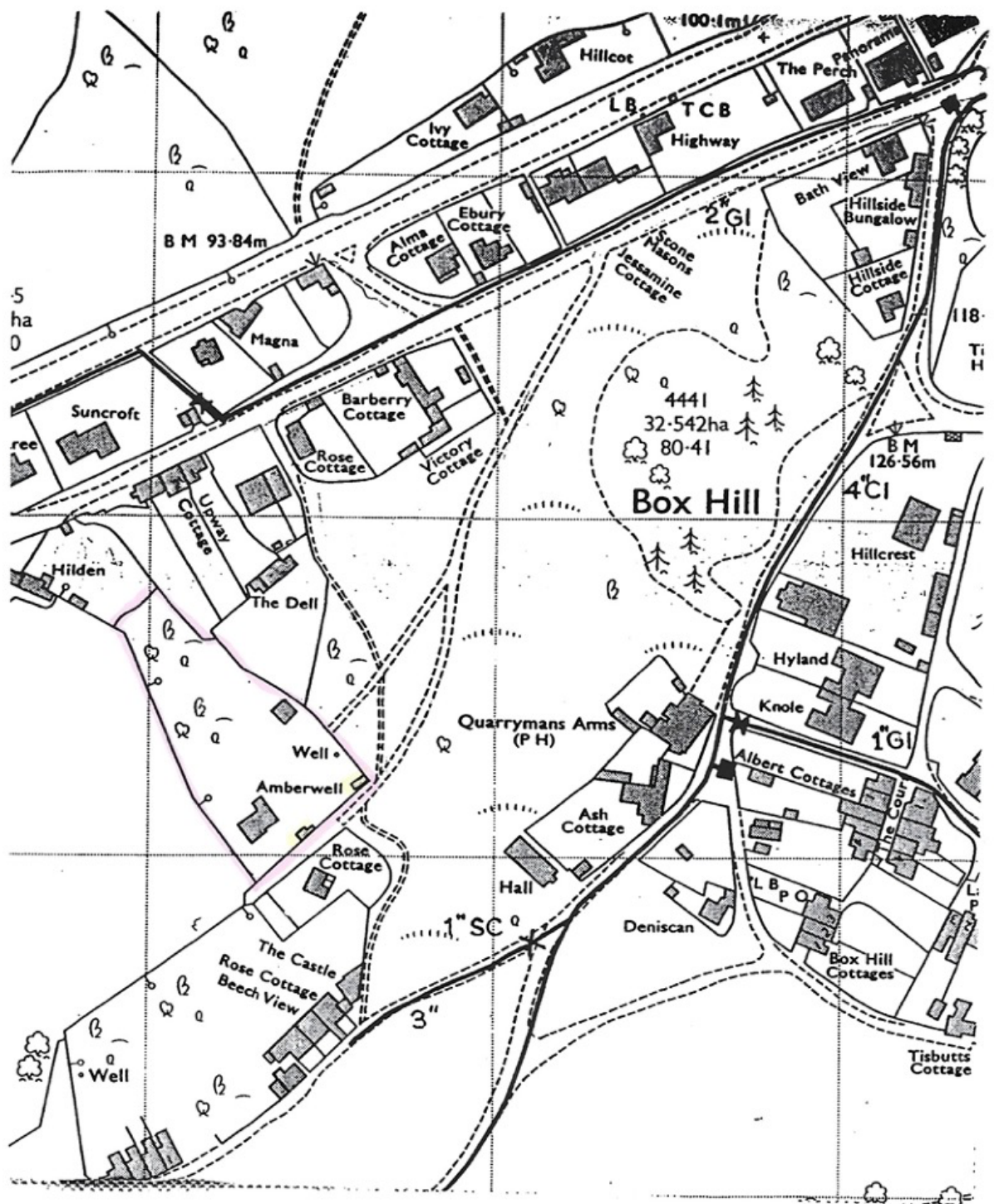
OUTGOINGS.

Impropriate Tithe Rent Charge (apportioned for purposes of Sale), commuted amount |

£0 2 6

Appendix 3

Map showing Amberwell (including two outbuildings in yellow, now demolished)



Appendix 4

Estate Agent particulars 1999



Amberwell, Lower Common, Box Hill, Wiltshire

Bathroom 2

(NE) with suite of panelled bath, pedestal wash basin with mirror splashback, w.c., heated towel rail and airing cupboard with slatted shelving. Medicine cabinet.

OUTSIDE

The property is approached through a 5-bar wooden gate over a Cotswold coloured gravelled driveway with ample parking and turning space for several cars. Undoubtedly one of the major features of the property is the delightful garden and grounds and the location of the property. The gardens are informally arranged and concealed behind a drystone wall and approached through stone arches is a model railway with bridge around a lawn. Adjacent to the property and on two sides there are paved and gravelled terraces, stone steps leading to upper and lower levels.

On the south-east side of the property is a **former swimming pool** which now provides a very sheltered sunken garden and adjacent lawn with **cedarwood summerhouse**. Beyond there is an extensive area of copse.

On the south-west side there is a further gravelled area ideal for sitting and extensive areas of lawn.

Attached to the property is an outside w.c.

To the rear is an evergreen hedge and drystone wall providing a high degree of privacy and a sitting sheltered sun terrace. Beyond, and concealed, is the oil tank.

Double Weatherlap open fronted Garage
with garden storage compartment.

Behind this building and approached via a path to the side and at a lower level there is a **single former loosebox** and beyond is a copse which contains a number of flowering trees.

The whole extends to about 0.26ha (2/3rd acre)

GENERAL INFORMATION

Tenure	Freehold. Vacant possession on completion.
Services	Mains drainage, water and electricity. Oil fired central heating.
Local Authority	North Wiltshire District Council Tel : (01249) 706111