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Supporting Statement in relation to the conversion of an outbuilding to an annexe

Woodbine Cottage, Alton

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Project	Woodbine Cottage, Alton
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1 Introduction

1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.

1.2 The author of this appraisal, Jon Imber, has worked as both a development control and forward planning officer in local government, and more recently as a senior planning consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.

2 Site and Planning History

2.1 The application site comprises a former barn within the domestic curtilage of Woodbine Cottage, Saltersford lane, Alton.

2.2 The application site lies on the eastern edge of the village. Surrounding uses include residential properties to the south and west, and a residential development currently under construction to the north and east.

2.3 The site is accessed via a gated entrance off Saltersford Lane.

2.4 The site has no recent planning history of direct relevance to these proposals.

2.5 The site and its surroundings are shown on the following aerial image.



Figure 1 - Aerial photograph of site

3 The Proposed Development

3.1 The applicant is not currently making full use of the building and has been considering alternative uses for it.

3.2 The applicant wishes to bring the building back into beneficial use. Converting it to guest accommodation ancillary to the main dwelling appears the most logical solution.

3.3 The accommodation would be used by visiting family members and friends.

3.4 The outbuilding requires some minor external alterations to facilitate its intended use.

These include the installation of new doors and windows in place of the existing openings.

4 Planning Policy Context

National Planning Policy Framework

4.1 Paragraph 2 of the NPPF states that "*applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*".

4.2 Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. It explains that in the context of decision taking, this means approving proposals that accord with the development plan without delay.

4.3 Paragraph 12 confirms that the presumption in favour of sustainable development established by the Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that conflicts with an up-to-date local plan should not usually be granted planning permission, and decisions that depart from an up-to date development plan should only be taken if material considerations in a particular case indicate that the plan should not be followed.

4.4 Paragraph 126 of the Framework relates to design quality. It states "*The creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*".

Staffordshire Moorlands Local Plan (2020)

4.5 The site lies within the settlement boundary of Alton, which Policy SS8 identifies as a 'Larger Village'. Policy SS8 sets out that within settlement boundaries a range of development is acceptable in principle, including new residential development and the conversion of existing buildings to alternative uses.

5 Planning Considerations

Principle of Development

5.1 It is proposed to convert an existing outbuilding within the curtilage of Woodbine Cottage to an annexe, which would be used as guest accommodation occupied by visiting family members and friends.

5.2 In Uttlesford DC v SoS and White [1992], in which a garage attached to a dwelling had been converted to a 'granny annexe', an inspector had determined that where a domestic garage within a residential curtilage was used for living accommodation in connection with the dwelling, no material change of use had occurred. The court agreed, ruling that the fact that the elderly occupier of the annexe had living facilities that enabled her to live independently from the rest of the family did not amount to the creation of a separate planning unit that required permission. The significance of this case is that the even though accommodation in the garage was capable of independent use, the court judgment suggested that a fundamental component of separateness was occupation by someone who was not connected with the family occupation of the whole planning unit.

5.3 In this case the annexe would be occupied by visiting family members and friends, who would otherwise stay within the main dwelling when they visit. During their stay, guests and the applicants would effectively be living on the site as one family,

albeit in two buildings. It is clear from the Uttlesford Judgement that the annexe is therefore ancillary to the main dwelling and does not create a separate planning unit and does not constitute a material change of use.

5.4 The use of the outbuilding as an annexe does not therefore require planning permission. Notwithstanding this, the principle of using the building as residential accommodation (even if that were a separate dwelling as opposed to ancillary accommodation as proposed) would be acceptable within this location as set out by Policy SS8 of the Staffordshire Moorlands Local Plan.

5.5 The proposals also involve alterations to the external appearance of the building as well as a modest extension. Part 1 Class E of the GPDO authorises certain alterations to curtilage buildings used for purposes incidental to the enjoyment of the dwellinghouse. However, since in this case the building is to be used for living accommodation (i.e. not purposes incidental to the enjoyment of the dwellinghouse) those rights do not apply. Planning permission is therefore required for the external alterations.

5.6 The proposed alterations relate well to the existing building. New windows are to be inserted within existing openings, retaining the vernacular character of the building. The building is to be timber clad.

5.7 The proposals would not therefore detrimentally affect the character or appearance of the surrounding area.

5.8 The proposals will not result in overlooking of or loss of daylight to neighbouring dwellings. Furthermore, since guests would otherwise stay within the main house during their visit in any event, the proposals will not lead to an increase in vehicle movements.

5.9 The building was re-roofed some time ago and has been sealed off since. It does not provide suitable habitat for bats. The proposals would not therefore harm protected species or their habitat.

6 Conclusions

6.1 It is proposed to use a domestic outbuilding as an annexe providing guest accommodation for visiting family members and friends. Following the judgement in the Uttlesford case, it is clear that the proposals do not create a new planning unit and do not constitute a material change of use. As such, the use of the building as proposed does not require permission.

6.2 Even if that were not the case and permission was required for the use of the building as ancillary accommodation (or any other type of residential accommodation), the proposals would still accord with Policy SS8 of the Local Plan.

6.3 However, the external alterations proposed in association with that use do require permission.

6.4 The proposals would not detrimentally affect the character or appearance of the building or its surroundings.

6.5 The development would not detrimentally affect the amenities enjoyed by the occupiers of the existing dwellings or the safe of efficient use of the highway network.

6.6 The proposals therefore constitute sustainable development which accord with Policy SS8 of the Staffordshire Moorlands Local Plan, and the National Planning Policy Framework.