ERECTION OF AN ANCILLARY ANNEXE

Planning, Design & Access Statement

17 George Crescent
Alfreton
Derbyshire
DE55 4AL



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Introduction

This statement has been prepared by NAPC Ltd to support the householder planning application for the erection of a single-storey timber prefabricated annexe, for ancillary residential use associated with the dwelling at 17 George Crescent, Alfreton, Derbyshire, DE55 4AL.

The annexe is intended to accommodate the applicant's aunt, Hazel Hayman. Due to advancing age and declining health, the annexe will allow for the close care and support of her family and will allow her to maintain a degree of independence while having the necessary care readily available (see Appendix A).

The following documents have been submitted as part of this application:

- Location plan
- Existing block plan
- Proposed block plan
- Proposed elevations
- Proposed floor plan
- Supporting letter from the applicant

Proposal

This application seeks approval for the erection of a single-story timber pre-fabricated annexe within the residential curtilage of an established Class C3 dwellinghouse.

The purpose of the annexe is to serve as an ancillary space to the main dwellinghouse, fostering strong functional connections between the two. The occupants will regularly engage in activities within the main dwelling, including preparing and consuming meals, relaxing, socialising with family, and using existing household facilities.

The annexe will feature the following high-quality materials:

- **Foundations** – Screw pile foundation system (ground screws)
- **Roof** – EPDM rubber membrane (flat roof)
- **External cladding** – Fibre cement lap weatherboard cladding in Grey Green
- **Fenestration** – White PVCu windows and doors

The use of the annexe is heavily reliant on the main dwellinghouse. This proposal does **not** constitute a separate, standalone unit of accommodation and it could not operate as such, given the site constraints and reliance on the main dwellinghouse.

The annexe will therefore **not** have any separate or independent:

- Address or post box
- Utility metres or services (such as internet, phone line, and television)
- Access or parking area
- Garden area or residential curtilage

Site Context

Application Site

The application site is located the eastern side of George Crescent, within the built-up area of Alfreton, within the administrative boundaries of Amber Valley Borough Council. The property comprises a two-storey semi-detached Class C3 dwelling house, which is finished in brickwork and features a pitched tiled roof. The site benefits from ample private amenity space to the east of the dwelling and off-street parking to the north-west of the dwelling.

The plot is bordered by neighbouring residential gardens to the west and south. The residential curtilage is clearly defined with domestic fencing and mature vegetation, serving as an effective screen to minimise any potential impact on neighbouring amenity and on the street scene. The surrounding area is residential in nature, meaning it is therefore not out of character to find ancillary outbuildings located in gardens.

Site Designations

As per the adopted Amber Valley Borough Local Plan 2022-2040 policy map, the application site is not covered by any specific planning or landscape designations. The Environment Agency's Flood Risk Map confirms that the site is within Flood Zone 1, which is categorised as having the lowest risk of flooding from rivers and the sea.

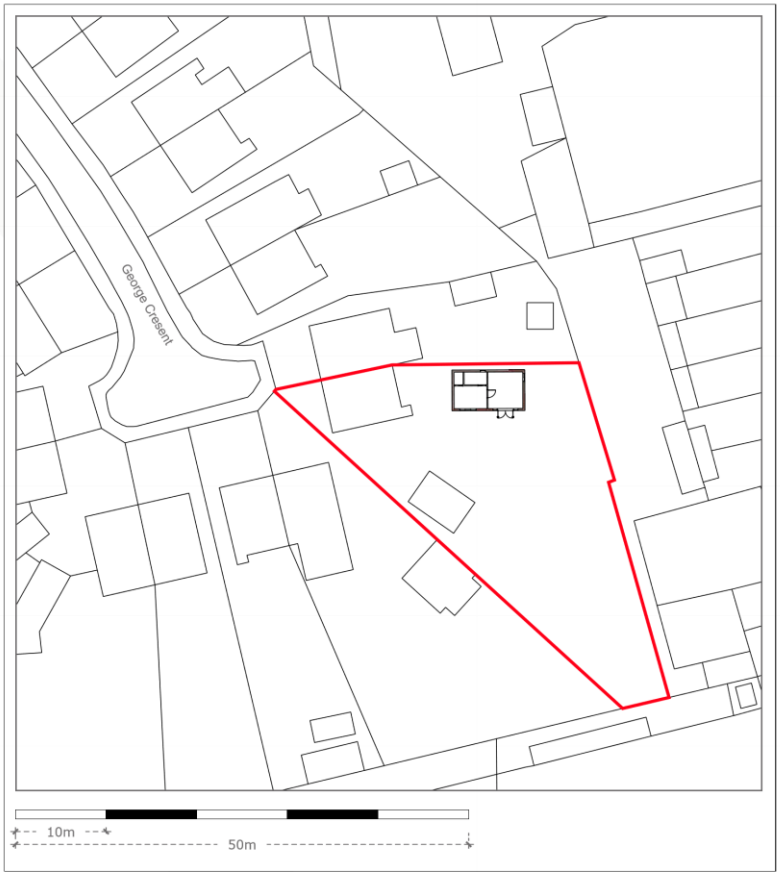


Figure 1: Proposed site block plan, showing the position of the proposed annexe within the residential curtilage of 17 George Crescent.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance the Local Development Plan unless material considerations indicate otherwise.

The relevant policies for assessing this proposal are outlined in the adopted Amber Valley Borough Local Plan 2022-2040, the National Planning Policy Framework (NPPF) (December 2024), and any relevant Supplementary Planning Documents and Guidance (SPDs/SPGs).

Local Plan

- Policy SS1 - Presumption in Favour of Sustainable Development
- Policy EN15 - Quality and Design of Development
- Policy H4 - Housing Types, Mix & Choice
- Policy EN3 - Flood Risk
- Policy IN1 - Transport

SPDs/SPGs

- Residential Development Supplementary Planning Document

NPPF (December 2024)

- Paragraph 8 – Achieving sustainable development
- Paragraph 11 – Presumption in favour of sustainable development
- Paragraph 39 – Approaching decision making in a positive and creative way
- Paragraph 63 – Creating homes for older people
- Paragraph 96 – Achieving healthy, inclusive and safe places
- Paragraph 124 – Making effective use of land
- Paragraph 131 – Creating high quality, beautiful and sustainable buildings and places

Planning Assessment

Principle of Development

This proposal seeks to erect an annexe to provide ancillary accommodation for the applicant's aunt, who, due to advancing age and declining health, requires an increasing level of care and support from her family *(see Appendix A).*

Regarding its relationship with the main dwelling, although the annexe won't be physically attached, it will have a clear dependence on the dwelling for essential services. The clear functional relationship between the dwelling and the annexe, along with the site layout, clearly indicate that independent use would be challenging and undesirable.

The above points carry notable significance considering the *Uttlesford v SoS (Environment & White)* landmark case. In that case, the Inspector acknowledged that the annexe, while equipped with all the facilities for day-to-day domestic life, had the potential to function as a separate dwelling.

However, the Inspector emphasised that the capability for independent use did not necessarily imply that it had been used as such. Notable factors in this determination included the lack of separate utility meters, a distinct postal address, and a dedicated telephone line. Additionally, the Inspector highlighted the absence of any separate curtilage or distinct access arrangements as relevant considerations in assessing the independent nature of the annexe.

This is further supported by the case of *R. (on the application of Fuller) v London Borough of Bromley [2012] EWHC 191 (Admin)*, where the High Court held that the Planning Inspector had correctly identified that an annexe was designed to be used ancillary to the main dwelling, even if it was capable of independent occupation.

The applicant would be happy to agree to an appropriate condition to restrict the use of the annexe solely for ancillary purposes. Whilst the National Planning Practice Guidance published on 6th March 2014 and Circular 11/95 was cancelled, Appendix A of the Circular is currently retained. Therefore, such a condition continues to be promoted by the Government. As such, the applicant will accept the following condition, derived from model condition 47 (Circular 11/95):

'The proposed building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwellinghouse.'

Considering the above, the principle of development can therefore be considered acceptable.

Design & Character

The proposed annexe is a modest single-storey garden building of approximately 8.05 metres by 4.5 metres (approximately 36.2 sqm), sited within the garden to the east of the host dwelling. Its flat-roofed form keeps the overall height below 3.5 metres, so the building sits well below the eaves of the two-storey host dwelling and reads unambiguously as a subordinate, ancillary structure within the residential curtilage.

The annexe will be finished in fibre cement lap weatherboard cladding in a muted Grey Green tone beneath an EPDM rubber membrane flat roof, with white PVCu windows and doors and white PVCu soffits and fascias. These are high-quality, low-maintenance materials whose colours and proportions are sympathetic to the domestic character of the surrounding residential area, and they match the materials described in the Proposal section of this statement.

The building is screened from the street scene and neighbouring properties by the established boundary treatments and mature vegetation that enclose the garden. Given its single-storey scale, restrained palette and position within an established residential curtilage, the proposal reflects the local character in terms of height, scale and massing and uses high-quality materials, in accordance with Policy EN15 of the Amber Valley Borough Local Plan 2022-2040 and the design objectives of the NPPF (December 2024).

Neighbouring Amenity

The annexe is single-storey, with no first-floor accommodation, and therefore creates no elevated outlook over any neighbouring property. Its principal glazing, including the French doors, faces into the application site's own garden, towards the host dwelling.

Given the building's limited height, its separation from the shared boundaries and the existing fencing and mature vegetation that enclose the plot, the proposal will not give rise to any material overlooking, overshadowing, loss of light or overbearing impact on neighbouring occupiers. The use itself, ancillary residential accommodation for a single elderly family member, is wholly compatible with the surrounding residential area and will generate no more activity or noise than any ordinary incident of domestic life. The proposal therefore safeguards residential amenity in accordance with Policy EN15 of the Amber Valley Borough Local Plan 2022-2040.

Access, Highways & Parking

The existing vehicular access from George Crescent and the off-street parking to the north-west of the dwelling are unaffected by this proposal. No new access is proposed and the annexe will share the existing pedestrian access within the site.

The occupant of the annexe does not drive (see the supporting letter at Appendix A), and the annexe will not generate any independent parking demand or material additional vehicle movements. The proposal therefore has no adverse highway or parking implications, in accordance with Policy IN1 of the Amber Valley Borough Local Plan 2022-2040.

Sustainability

Chapter 2 of the NPPF states that: *'the purpose of the planning system is to contribute to the achievement of sustainable development.'* This planning statement has clearly demonstrated how the proposed annexe is compliant with the social objective of sustainability; the environmental and economic objectives will be discussed further in this section.

Off-Site Manufacturing

Most of the annexe is pre-constructed in the iHus factory, including floor cassettes, wall panels, and roof trusses, which are transported to the site. Off-site construction offers several advantages over traditional methods, including:

- **Reduced environmental impact**: Construction waste and emissions can be halved, by virtue of production efficiencies and increased recycling.
- **Reduced waste**: Factory production brings about design consistencies to minimise the waste of components. WRAP believes this to be as much as 70-90% waste savings.
- **Environmentally friendly**: The reduced time on actual building sites provides a less intrusive environment for surrounding businesses, households, and road networks.
- **Safety**: The factory is a far more predictable setting than the physical construction site, which eliminates the variables of weather and visibility. Having the conditions be the same every time

makes errors much less likely. Most of on-site construction's most dangerous hazards: like fall from height and equipment accidents, are not an issue in the factory.

- **Less greenhouse gas**: As well as the solid waste that goes to landfill, the machinery used in construction can't avoid pumping various pollutants into the atmosphere. However, if air pollution can't be avoided, it can at least be minimised. Reducing works traffic reduces noxious nitrates, which limits local air pollution but greenhouse gases like carbon dioxide are a more global problem that are already causing significant climate change around the world.

Materials

Sustainably sourced or environmentally friendly materials are used for proposed annexe:

Foundations

The foundations used are a screw pile foundation system (ground screws). This creates virtually zero mess, removing the need for skips or other transport requirements for waste spoil a traditional foundation system would produce. Screw piles are helping drive down carbon emissions against conventional methods. Concrete is now the second most consumed substance on Earth after water. On average, each year 3 tonnes of concrete are consumed for every person on the planet, with 10% of all global carbon emissions because of cement production.

Timber Frame

95% of the timber used in the construction of the annexe is FSC grade certificate wood. FSC controlled wood is defined as virgin wood or wood fibre, which has been verified as having a low probability of including wood from any of the following categories:

1. *Illegally harvested wood.*
2. *Wood harvested in violation of traditional and civil rights.*
3. *Wood harvested in forests in which high conservation values are threatened by management activities.*
4. *Wood harvested in forests being converted from natural and semi natural forest to plantations or non-forest use.*
5. *Wood from forests in which genetically modified trees are planted.*

Forest management certification is awarded to forest managers or owners whose management practices meet the requirements of the FSC Principles and Criteria and the applicable FSC national forest stewardship standard.

OSB

OSB3 is an engineered, load-bearing wood-based panel product used to create the wall panels, free of knots and voids, and suitable for structural use in humid situations.

FSC certified OSB3 is a safe and sound choice for the construction industry and is used extensively in timber frame housing and for flooring, wall sheathing, roofing. OSB3 is sourced from locally managed forests that are independently certified to Forest Stewardship Council (FSC) criteria. Logs used to manufacture OSB3 are a natural bi-product of the thinning process that takes place in managed woodlands to help it thrive. Only the smaller trees are selected to make OSB3, leaving the larger, stronger trees to grow on for years and provide suitable raw material for the saw milling industry.

Electric Heating and Waste

Electric heating is environmentally friendly because it does not create emissions and leaves the inside and surrounding outdoor air clear. Electric heating does not produce dangerous carbon monoxide and leaves no build-up of debris like other heating sources. Government figures released in 2018 show that electric heating is better for the environment than gas. This revelation is due to investments in renewable energy, plus a reduced reliance on coal-fired power stations. Another big influence is a re-think on how carbon emissions for new houses are measured.

Lighting

All LED used in the annexe is A+ rated and 90% energy saving vs Halogen with a 25,000-hour life.

Economic Objectives

This objective seeks to build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure. The proposal provides affordable ancillary accommodation for the applicant, and in many cases releases a family home into the housing stock.

Multigenerational living also has great financial savings because households share common resources, such as food, childcare, eldercare, heat, electricity, transportation, and mortgage/rent, thereby reducing the cost of living relative to individual or single-family living arrangement. The family will care for each other this will reduce the use of state funded social health services therefore reducing the burden on such provisions.

Material Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance the Local Development Plan unless material considerations suggest otherwise. In the case of the proposed annexe, several material considerations are deemed relevant in the decision-making process.

Appeal Precedents

Appeal Ref: APP/Q5300/D/16/3147827 (Appendix B)

The appeal, challenging the refusal of an annexe application by the London Borough of Enfield, was allowed. Despite concerns that the proposal might create a separate dwelling, the Inspector disagreed, noting the importance of a model condition to restrict use to ancillary purposes.

This appeal highlights the Inspector's view that the inclusion of facilities for independent occupation does not mean that an annexe would be used as such, highlighting the enforceability of a condition restricting the annexe to remain in ancillary use.

Appeal Ref: APP/B3438/A/12/2188171 (Appendix C)

The appeal against the decision of Staffordshire Moorlands District Council resulted in permission being granted. The Inspector acknowledged that while the proposed annexe could contain independent facilities, its small size and basic amenities were indicative of ancillary use. The Inspector also recognised the enforceability of a model condition to maintain ancillary occupation.

This case reinforces the notion that certain characteristics, such as size and amenities, support the ancillary nature of the proposed unit. It emphasises the enforceability of conditions outlined in the National Planning Practice Guidance.

Appeal Ref: APP/K2230/W/23/3319422 (Appendix D)

The appeal, made against Gravesham Borough Council's refusal of a detached annexe positioned towards the end of the rear garden of the host dwelling, was allowed in January 2024. The Council had argued that, being physically detached from the host dwelling and capable of self-contained living, the building could be used as an entirely separate residential unit. The Inspector noted that the development applied for was an annexe, submitted as a householder application, and determined it on that basis, granting permission subject to conditions restricting the use of the annexe to purposes ancillary to the main dwelling.

This decision confirms that physical detachment and the presence of self-contained facilities do not, of themselves, render an annexe an independent dwelling. The proper approach is to assess the development as applied for, with an ancillary-use condition providing the necessary safeguard.

Appeal Ref: APP/E2001/D/23/3332779 (Appendix E)

The appeal, against East Riding of Yorkshire Council's refusal of a detached garage/self-contained annexe building within the rear garden of a dwelling at Rudston, was allowed in April 2024. Although the building was to be sited within a defined Countryside location and an Important Landscape Area, the Inspector concluded that the proposal would not harm the character of the surrounding area and granted permission subject to conditions.

The decision demonstrates that a well-designed, appropriately scaled annexe within a dwelling's garden can be acceptable even within sensitive landscape designations, a materially more constrained context than the present unallocated site within the built-up area.

Consistency in Decision-Making

Planning law emphasises consistency in decision-making to ensure fairness in the determination of planning applications. This principle has been reinforced through case law, where courts have repeatedly stressed that decision-makers should aim for consistency to uphold fairness, equality, and the rule of law in planning decisions.

A key case that reinforces this point is *North Wiltshire District Council v Secretary of State for the Environment [1992] 3 PLR 113*, which highlights the importance of consistency in decision-making. In this case, it was held that local planning authorities should not depart from their previous decisions unless there are good reasons to do so, and if they do depart, they must clearly justify why. This judgment has often been cited to underscore that fairness requires similar cases to be decided in a similar manner unless there is a significant material difference in circumstances.

While recognising the uniqueness of each application, consistency in decision-making is crucial for instilling confidence in the planning system. This principle aligns with legal precedents and decisions by appeal Inspectors. Consistency is not only paramount for public confidence but has legal weight, as evidenced in High Court decisions and appeal Inspector statements.

Considering the above, the proposed annexe aligns with established principles, emphasising the enforceability of conditions to restrict usage. These considerations should carry weight in the decision-making process to ensure a fair and consistent application of planning principles.

Personal Need

The personal circumstances surrounding the personal need for the proposed annexe, as detailed in the supporting documents, hold significant weight in the planning decision-making process.

Lord Scarman's commentary in *Westminster City Council v Great Portland Estates plc [1985]* emphasises that personal circumstances, including personal hardship, are essential factors in the administration of planning control, as excluding the human factor would be inhuman pedantry. The legal precedent set by *Great Portland Estates plc v Westminster City Council [1985] A.C. 661* further supports the acknowledgment of personal circumstances as exceptional or special circumstances in the context of development control.

We strongly consider that the personal circumstances of the applicant's aunt, Hazel Hayman, constitute a strong material consideration that warrants due weight in the decision-making process. The documented supporting letter outlines the significant need for the annexe, aligning with the 'relevant protected characteristics' under Section 149 of the Public Sector Equality Duty in the Equality Act 2010.

The proposed development is essential to cater to the specific needs of the applicant's aunt, encompassing various aspects of daily life and health care that cannot be adequately addressed in their current accommodation. A refusal of the application would have severe and negative consequences on their day-to-day lives and overall health.

Considering the above, it is respectfully asked that the council recognises the personal circumstances and the need for the proposed annexe, giving them due consideration in the decision-making process.

Local Planning Precedents

Whilst we note that all planning applications should be judged on their individual merit, it is important to consider the successful approvals of applications in the same local area as the application site, or those of a comparable nature to this proposal. This ensures fairness and consistency in the decision-making process. Therefore, it should be noted that the below comparable applications were granted planning permission by Amber Valley Borough Council:

- Application ref. AVA/2024/0736 | Extension and alterations to the existing house together with a new detached single-storey annexe with integrated car port. | Watergates, 16 Ashbourne Road, Blackbrook, Belper, Derbyshire. This application was granted planning permission on 18th December 2024.
- Application ref. AVA/2025/0565 | Proposed construction of an annexe to the side of the principal elevation. | Watergates, 16 Ashbourne Road, Blackbrook, Belper, Derbyshire. This application was granted planning permission on 18th November 2025.
- Application ref. AVA/2025/0663 | Replacement of the existing garage with a new garage and granny annexe. | Jansgard, Queens Drive, Belper, Derbyshire, DE56 2TJ. This application was granted planning permission on 4th November 2025.
- Application ref. AVA/2025/0645 | New garden room annexe for flexible living and home office, ancillary to the main property. | 58 Wessington Lane, South Wingfield, Alfreton, Derbyshire. This application was granted planning permission on 20th November 2025.
- Application ref. AVA/2024/0796 | Proposed conversion of garage with rear extension to create a residential annexe. | 15 Devonshire Avenue, Ripley, Derbyshire, DE5 3SS. This application was granted planning permission on 20th December 2024.

Conclusion

This statement has demonstrated that the proposed annexe at 17 George Crescent is a modest, single-storey ancillary building within the established residential curtilage of an existing dwellinghouse. It would remain functionally connected to, and clearly subordinate to, the main dwelling, would not result in the physical subdivision of the curtilage, would not create a separate planning unit, and would not require separate access or parking provision.

We therefore politely request that this application is granted planning permission without delay.

Positive and Proactive Decision-Making

NPPF Paragraph 39 states that local planning authorities should approach decisions on proposed development in a positive and creative way; should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area; and should at every level should seek to approve applications for sustainable development where possible.

Should the council require any further information or any clarification on any aspects of the application, we ask that this is requested from NAPC Ltd before a decision is issued, to ensure that a positive outcome can be reached on the application.

APPENDIX A - SUPPORTING LETTER

iHUS Group - Unit 3, Plumtree Farm Industrial Estate, Plumtree Road, Bircotes, Doncaster, DN11 8EW
01302 247777 / 08081 641111 **enquiries@ihusannexe.com**
Co Reg No 12848583 / VAT No 366812746

Emma Elliott
17 George Crescent
DE55 4AL

17 July 2026

Dear Sir/Madam,

RE: Planning application for a proposed annexe at 17 George Crescent, DE55 4AL

I am writing to support this planning application to build an annexe in my garden for my aunt, Hazel Hayman, who is 84 years old.

Hazel has spent most of her adult life in Wales, where she built a full and happy life surrounded by her husband, her son, friends and a wonderful support network. Sadly, she lost her husband a few years ago and has recently lost her only son. Her circle of friends, too, is dwindling as those around her face their own age and health challenges. She now finds herself very much alone, without the people she has always relied upon, and it breaks my heart to think of her managing in that situation.

On top of that grief and isolation, Hazel's health has deteriorated significantly. She has recently suffered two strokes, within days of one another, and has gone into cardiac arrest several times. She has just had a pacemaker fitted and is still undergoing neurological investigations. She also lives with severe arthritis, poor eyesight and hearing difficulties. She does not drive, and getting to the many medical appointments she now needs requires a wheelchair and walking frame. There have been falls and some frightening moments while she has been on her own, and it is clear to all of us as a family that she simply cannot manage alone any longer. Visiting carers and the distance between us are not enough to keep her safe.

What I want for my aunt is to bring her home to the region where she was born, to live out her final years surrounded by family who love her and can genuinely look after her. I will be her main carer, but I am fortunate to have a strong network of family members who all live locally and are committed to supporting both Hazel and me. She will not be going into care and she will not be alone. She will be in her own space in my garden, with her independence respected, while knowing that family is just steps away at any time of the day.

Day to day, Hazel will be very much part of our household. Family will visit and check in on her daily. She will share the garden with us and spend evenings and weekends in our company. Her laundry will be done in the main house, and her bills and utilities will remain part of the main household.

When the annexe is no longer needed, it will return to ordinary family use, whether as a guest room or hobby space.

I would ask that the council give this application every consideration. Hazel has been through so much loss in a short period of time and deserves to feel safe, loved and cared for. This annexe would give her exactly that.

Given the personal and sensitive medical information contained in this letter, I would respectfully ask that it is not published on the council's public planning portal and that it is used solely for the purpose of determining this application.

Yours faithfully,

Emma Elliott

APPENDIX B - APPEAL REF: APP/Q5300/D/16/3147827

iHUS Group - Unit 3, Plumtree Farm Industrial Estate, Plumtree Road, Bircotes, Doncaster, DN11 8EW
01302 247777 / 08081 641111 **enquiries@ihusannexe.com**
Co Reg No 12848583 / VAT No 366812746

The Planning Inspectorate

Appeal Decision

Site visit made on 13 July 2016

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 August 2016

Appeal Ref: APP/Q5300/D/16/3147827
82 Perry Mead, Enfield EN2 8BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Leslie Ernest and Ella Blinko against the decision of the Council of the London Borough of Enfield.
- The application Ref 16/00020/HOU, dated 5 January 2016, was refused by notice dated 1 March 2016.
- The development proposed is the erection of an ancillary granny annexe.

Application for costs

1. An application for costs was made by the appellants against the Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the erection of an ancillary granny annexe at 82 Perry Mead, Enfield EN2 8BS in accordance with the terms of the application Ref 16/00020/HOU, dated 5 January 2016, subject to the conditions set out in the schedule to this decision.

Main issues

3. The main issues are firstly, whether the proposal would constitute a separate unit of residential accommodation, rather than an ancillary use; and secondly, the effect of the proposal on the character and appearance of the local area.

Reasons

Whether a separate unit of residential accommodation

4. Although the Council considers that the proposal is tantamount to a new independent unit of residential accommodation that is not what has been applied for. The application forms lodged with the Council make clear that planning permission is sought for the erection of an ancillary granny annexe. The Council validated the application on that basis.

5. The Council supports its opinion with reference to the intended occupier, which would be the appellant's daughter, the self-contained nature of the accommodation to be provided, the limited connection to the main house, and the ability to provide separate access and to subdivide the plot that is to be shared with No 82. With a bedroom, lounge, kitchen, bathroom and store, the

new building would have adequate facilities and sufficient space within and around it potentially for independent use by a separate household. Therefore, the Council's concern is not unfounded.

6. However, the evidence is not conclusive that the proposal would actually be used in this way. The appellants contend and have repeatedly stated in writing that it would not. The new building would provide for the needs of the appellant's daughter, enabling her to be on hand to care for her elderly parents that reside within the main dwelling. From my inspection of the plans, the use of the site, in its entirety, would remain for single-family occupation. The proposal would not have a separate address nor would it have separate utility provision or garden. All of these matters consistently point towards the ancillary nature of the proposal.

7. The use of the new building as an annexe could also be controlled by a condition if planning permission were to be granted. The model condition for granny annexes put forward in national guidance is designed to prevent the creation of an additional dwelling. This condition is capable of being enforced in this instance because there is no obvious reason why the Council should not be able to investigate and take any action with regard to any alleged breach of the condition.

8. A request to use the new building independently could be made in the future. However, its location within the garden of No 82, away from the road, with only pedestrian access would indicate that the building would not be suitable for use as a separate dwelling. If such a proposal did come to pass, it could be resisted on the grounds that the building would be unsuitable for use as a separate residential unit with support from adopted planning policies.

9. With a suitably worded condition in place to restrict the use of the new building to an ancillary annexe, I conclude on the first main issue that the proposal does not constitute a separate unit of residential accommodation and that it would be ancillary to No 82. Therefore, I find no conflict with Policy DMD 12 of the Enfield's Development Management Document (DMD). This policy notes that proposals for outbuildings will only be permitted if its criteria are met, which include a requirement that the building is ancillary to the use as a dwelling.

10. As the proposal is not for a separate dwelling, it follows that Policies 3.5 and 3.8 of the London Plan and DMD Policy DMD 8 are not applicable.

Character and appearance

11. The new addition would be a single storey detached building with timber walls and a dual pitched tiled roof. It would stand to one side of No 82 within its side and rear garden. It would be a sizeable addition and larger than ancillary outbuildings and structures that are generally found in the gardens of residential properties. During the site visit, I saw no outbuildings there were comparable in size to the proposal.

12. Even so, the proposal would be clearly subordinate in relation to the more substantive 2-storey host building and the site. A good-sized garden would remain with the new built form in place. With appropriate external materials and a low profile due to its modest height and shallow pitched roof, the new building would not be obtrusive. While the full-length windows would give the

proposal a residential character, its design would be simple with a utilitarian appearance that would not look out of place in a residential garden setting. Consequently, the new building would not be incongruous in its context.

13. The proposed building would be partly screened from public view by the main house and the boundary fence around the perimeter of the back garden. Only a small part of the new building would be glimpsed from the road, between the existing buildings. From this direction, the new development would be inconspicuous and have no discernable effect on the character and quality of the street scene. The upper part of the new addition would be visible from some gardens and windows of nearby properties. In these views, it would be largely seen in the context of the more substantial 2-storey flank wall of an adjacent property. In that context, the appeal development would not appear excessively large or an overly dominant addition.

14. For these reasons, I conclude on the second main issue that the proposal would not be out of keeping with the character and appearance of the local area. Accordingly, I find no material conflict with CS Policy CP30 and DMD Policies DMD 7, DMD 12 and DMD 37 insofar as they aim to ensure that development is appropriate to, and reflects an understanding of, its context and does not harm the character of the local area.

Other matters

15. The Council is critical of the appellants for failing to provide sufficient evidence to demonstrate a need for the proposed accommodation. In this instance, the proposed annexe would enable the appellant's daughter to live close to but independent from her parents. In this way, the appellants could stay in their home, thereby providing continuity and stability, while enabling them to be cared for and supported as they become more infirm and dependent. The appellants have provided a cogent case that the proposal, when taken together with the main house, would meet a need that is particular to their personal circumstances. In those circumstances, the new annexe would not, in itself, satisfy a specialist housing need, to which DMD Policy DMD 15 refers, but the application was not promulgated on the basis that it would.

16. Reference is made to case law and several recent appeal decisions involving proposals for annexes elsewhere. From the limited information provided, none appear to reflect the particular circumstances of this case. In the absence of full background details, I am unable to attach significant weight to these decisions either for or against the appeal scheme. In any event, each proposal should be considered on its own merits, as I have done in this instance.

Conditions

17. I have considered the conditions suggested by the Council in the light of relevant advice contained within the Planning Practice Guidance. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. In the interests of the character and appearance of the area, a condition is necessary to require that samples of external materials are agreed before construction work starts. In addition, a condition is also necessary to ensure the proposed building remains ancillary to the main house.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of 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 plans: Refs 0392-12-15/1A, 0392-12-15/2A, 0392-12-15/3A and 0392-12-15/4A.

3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 82 Perry Mead, Enfield EN2 8BS.

APPENDIX C - APPEAL REF: APP/B3438/A/12/2188171

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The Planning Inspectorate

Appeal Decision

Site visit made on 30 April 2013

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2013

Appeal Ref: APP/B3438/A/12/2188171
Far End Cottage, Quarry Road, Hollington, Stoke-on-Trent ST10 4HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Kevin Corkery against the decision of Staffordshire Moorlands District Council.
- The application Ref 12/00578/FUL, dated 13 July 2012, was refused by notice dated 9 November 2012.
- The development proposed is the replacement of existing garage to provide living accommodation for dependent relative.

Decision

1. The appeal is allowed and planning permission is granted for the replacement of existing garage to provide living accommodation for dependent relative at Far End Cottage, Quarry Road, Hollington, Stoke-on-Trent ST10 4HP in accordance with the terms of the application, Ref 12/00578/FUL, dated 13 July 2012, subject to the conditions set out in Annex A:

Main Issues

2. The main issues of the appeal are:

   - Whether the proposed development would constitute a separate unit of residential accommodation rather than an ancillary use.

   - The effect of the proposed development on the character and appearance of the area.

Reasons

Whether an ancillary use

3. The appeal site is a detached house with a variety of outbuildings situated in a rural location on the edge of the village of Hollington, and in a Special Landscape Area (SLA). The proposed accommodation for the dependent relative would be built on the site of the existing double garage. It would therefore be separate from the main dwelling but would be directly facing and in close proximity to it.

4. The accommodation would comprise a bedroom, bathroom and living room that would include a small kitchen area. In the Council's view therefore because the accommodation is physically separate from the main dwelling and due to the range of facilities proposed within the unit, it could be used as an independent residential unit.

5. However, the appellant has stated that the accommodation is not to be used in this way but to provide accommodation for a dependent relative for whom they have to provide care. I have only been provided with limited evidence regarding the level of care needed by the relative, but the need to provide care for them has been corroborated by the local councillor. Furthermore given the nature of the illnesses suffered by the relative I consider that the need to provide care will increase with time.

6. Whilst I accept that the proposed accommodation would contain all the facilities required for it to be used as an independent unit, its overall size would be small and the level of facilities it would provide would be basic, which is what would be expected for accommodation that is ancillary to the main dwelling.

7. Furthermore the accommodation would be provided with no separate outdoor space of its own and would share the same access as the main dwelling. Given its proposed location adjacent to the boundary of the site and in close proximity to the main dwelling I cannot envisage any way that it would be possible to provide separate outdoor space for the property or a separate access either now or in the future. Consequently any occupiers of the accommodation would have to utilise the outdoor space and access associated with the main dwelling.

8. In addition it has been stated that the accommodation would not have a separate address nor would it have separate utility provision. These factors again indicate that it would be ancillary to the main dwelling.

9. I recognise that the grant of planning permission could result in pressure for the building to be used as a separate dwelling at the some point in the future. For the reasons set out above I consider that it is very unlikely to be occupied independently of the main dwelling. Moreover Circular 11/95 provides a model condition which could be attached to this permission to ensure that the occupation of this unit remains ancillary. The fact that such a condition is included in national guidance is an indication that it is capable of being enforced and I see no reason why the Council should not be able to investigate and take any action on any breach of the condition.

10. I note the concerns of the Council regarding whether adequate consideration has been given to either providing the required accommodation within the existing house or by extending the existing dwelling. However given the constraints of the site it is not clear to me that the extension of the house would be feasible. Furthermore, given the relative limited size of the current dwelling and the lack of any bathroom facilities on the ground floor I consider that it would not be possible to provide the required accommodation in the existing dwelling without extending it.

11. Overall therefore I conclude that the proposed development would be ancillary to the main dwelling rather than an independent residential unit. As an ancillary use the proposal represents a sustainable form of development and therefore accords with Policies D1 of the *Staffordshire and Stoke on Trent Structure Plan (as amended) (adopted May 2001)* (SSSP) and SS1 of the *Staffordshire Moorlands Local Development Framework Core Strategy Development Plan Document (Revised Submission Document December 2011)* (SMCS). Since I have concluded that the proposed development is not a separate dwelling Policies H11 of the SSSP, H7 of the *Staffordshire Moorlands*

Local Plan (adopted September 1998) (SMLP) and R2 of the SMCS are not applicable.

Character and Appearance

12. The existing garage is a concrete structure that is in a poor state of repair and is not in keeping with the stone buildings that are the predominant building type in the area. The proposed building which would be constructed with stone walls and a slate roof would therefore reflect the surrounding buildings and be more in keeping with the area.

13. Whilst I accept that the proposed building would have a greater height than the existing garage, as a single storey building I consider it would still appear subordinate to the main dwelling which is 2 storeys. Further, in terms of its visual impact on the wider area, when approached from Quarry Road the proposed building would be partially screened from view by the wall and vegetation that forms the boundary treatment at this point. In addition, given the local topography and the close proximity of the proposed accommodation to the existing house I am satisfied that the proposed building would not have an adverse impact on any views from the nearby public footpath.

14. The Council have argued that the demolition of the existing garage could result in additional outbuildings being constructed for the same purpose which could have an adverse impact on the countryside. In the short term the evidence before me indicates that it is unlikely that appellants would want to do this. Furthermore given a suitable condition can be used to ensure that this cannot be done under permitted development rights, the acceptability of any future outbuilding could be considered by the Council. Consequently I consider that this does not constitute a reason for refusing this current application.

15. As a result I consider that the development would respect the character and appearance of the area and it would not materially detract from the high quality of the SLA. As such it would accord with Polices D2, D4, NC1 and NC2 of the SSSP, Policies N8, N9 and B13 of the SMLP and Policies SS6c, SO8, SO9, DC1 and DC3 of the SMCS which seek to ensure that development respects the character, appearance and local distinctiveness of the area and protects the open countryside for its own sake.

Conclusions and Conditions

16. For the reasons set out above I conclude the appeal should be allowed.

17. In addition to the standard implementation condition, it is necessary for the avoidance of doubt, to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the building. A condition is also necessary to ensure the proposed building remains ancillary to the main house.

18. I am not persuaded it is necessary to remove all the permitted development rights suggested by the Council. Circular 11/95 *The Use of Conditions in Planning Permissions* indicates that such restrictions should be exceptional. However, in order to protect the character and appearance of the area I have restricted rights relating to the development of outbuildings.

Alison Partington

INSPECTOR

APPENDIX D - APPEAL REF: APP/K2230/W/23/3319422

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The Planning Inspectorate

Appeal Decision

Site visit made on 10 January 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2024

Appeal Ref: APP/K2230/W/23/3319422
83a Chalk Road, Gravesend, Kent DA12 4UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Miss Sheila Sekasi against the decision of Gravesham Borough Council.
- The application Ref 20221190, dated 6 November 2022, was refused by notice dated 6 January 2023.
- The development proposed is the erection of an annexe for use in connection with the main dwelling.

Decision

1. The appeal is allowed and planning permission is granted for the erection of an annexe for use in connection with the main dwelling at 83a Chalk Road, Gravesend, Kent DA12 4UT in accordance with the terms of the application, Ref 20221190, dated 6 November 2022, subject to the conditions in the schedule below.

Main Issues

2. The main issues are a) whether or not the proposed annexe would be ancillary to the main dwelling or a separate independent dwelling unit; and b) the effect of the proposed development on the living conditions of future occupants, with particular regard to outlook.

Reasons

Whether Ancillary to the Main Dwelling or Separate Independent Dwelling Unit

3. The appeal site comprises a detached two storey dwelling and its curtilage. The property has a long rear garden, at the end of which is a garage. The garage is accessed via a narrow, unmade access road along the side of the appeal property. This access road also serves the rear gardens/garages of other houses in Chalk Road and Havisham Road. There are two gates at either end of the garden to No.83a which provide egress out onto the access road.

4. The proposed annexe would be positioned towards the end of the rear garden, next to the garage, which is said to be currently used as a home gym. The Council argues that as this proposed building is physically detached from the host dwelling and because the scheme would allow for self-contained living, it could be used as an entirely separate self-contained residential unit.

5. However, the description of development applied for is an annexe and the householder application form was submitted. Both these have been accepted by the Council and the proposal advertised on this basis. As such, the scheme

before me is not for a separate dwelling and it is important that I consider the application as proposed.

6. Whilst the proposed building would provide facilities that might allow for independent day-to-day living, that does not necessarily mean the accommodation would be occupied independently or become a separate planning unit from the main dwelling. As a matter of fact and degree, the accommodation would plainly be capable of being occupied as an annexe, taking into account the following: the intended occupier would be a close family member who is likely to share various living activities with the family in the main dwelling; the whole site of 83a Chalk Road would remain a single unit; the garden area is capable of being shared; and the floor space of the annexe would be far smaller than the floor space of the main dwelling.

7. Indeed, on this final point, the size of the unit and that it fails to meet the Nationally Described Space Standards were of concern to the Council. However, in my opinion, this is something of a proxy indicator that the building is perhaps more suited and thus more likely to be used as an annexe rather than being occupied as a separate, independent dwelling.

8. Although the proposal would not be attached to the host property, all of the foregoing matters point to the ancillary nature of the annexe, and for these reasons, I do not regard the appeal building as being tantamount to a new dwelling. As such, based on the evidence before me, the use of the site, in its entirety, would remain for single-family occupation and one planning unit.

9. In terms of the building itself being used as an annexe the Council has not raised any concerns as regard to such matters as design/appearance, effect on neighbours or on occupants of the host dwelling. Based on the evidence before me and my own observations on site I have no reason to disagree.

10. The Council suggests that a planning condition to restrict the use and occupancy of the building would be difficult to monitor or enforce. However, if the structure is not built as proposed, or there is a material change or intensification in the use of the building it is likely to be readily apparent and is thus capable of being enforced against. Furthermore, any future use as a wholly independent residence would require planning permission and the building would be at risk of enforcement action if permission is not granted.

11. On this first main issue I conclude that the proposed development would not constitute a separate dwelling but would be an annexe to the main dwelling. Policy CS02 of the Gravesham Local Plan Core Strategy 2014 (LPCS) is cited by the Council in its decision. However, this seems to be a strategic policy aimed at the general distribution of developments in the borough. It therefore has limited relevance to my findings regarding this annexe and allowing this appeal would not undermine the objectives of this policy.

12. The Council also refer to Paragraphs 149 and 150 of the National Planning Policy Framework 2021 in their reason for refusal (now Paragraphs 154 and 155 in the December 2023 Framework). As these paragraphs relate to development in the Green Belt and there is no indication that the site is located within the Green Belt, they are of no relevance to this appeal or my decision.

Living Conditions in the Proposed Development

13. The proposed annexe would be accessed via glazed, patio style doors that lead into an open plan lounge with small kitchen. A separate bedroom and en-suite shower room would be accessed from this space. Both would be served by windows, the one in the en-suite being at high-level. As annexe accommodation the proposed rooms would be adequately sized for their stated function, and they would receive reasonable levels of natural light and ventilation.

14. The lounge doors and bedroom window would face towards the boundary fence with No. 83 Chalk Road. I acknowledge that the outlook would be somewhat constrained and were this to be a separate, independent dwelling this would be a matter of some concern. However, as the accommodation would be occupied in connection with the main dwelling, the need for a more open or wider outlook is less pressing. Therefore, given the nature of the proposed accommodation, I find that the outlook would not be such a significant adverse factor on the living conditions of future occupiers as to warrant the appeal being dismissed.

15. As the scheme would be an annexe, it is not necessary for it to comply with the floorspace and storage standards for a one-person dwelling set out in national guidance or local policy.

16. Therefore, I conclude on this issue that the proposal would accord with Policy CS19 of the LPCS which seeks, amongst other things, to ensure living conditions of residents are safeguarded. Similarly, I do not find conflict with the objectives of Section 12 of the Framework.

Other Matters

17. The building would be visible from the access road and from neighbouring properties. However, it would be 2.7m high and have a flat roof. As such it would not be unduly prominent. I also noted from my site visit that many neighbouring properties had one or more outbuilding and that they comprised a variety of different sizes and appearances. As such, the proposed building would not be incongruous with its surroundings.

18. Interested parties have raised concerns regarding the potential disturbance during the construction of the building. However, the building is modest in size and its construction is likely to be undertaken over a relatively short period of time. As such, any impacts would be temporary. It would be a project for the appellants to manage having regard to any noise or nuisance powers the Council may have under other legislation.

19. The proposal is not a major development and so is not subject to mandatory sustainable urban drainage requirements. However, matters of drainage would be addressed through the building control process and it is not the role of the planning system to duplicate their requirements.

20. Each appeal proposal is considered on its own merits and based on the evidence available in each case. Accordingly, it does not automatically follow that the same circumstances would apply to other sites and other proposals in the vicinity.

Conditions

21. The Council has provided a list of suggested conditions in the event of the appeal being allowed, which I have assessed and, where necessary, amended wording with regard to the advice provided in the Planning Practice Guidance.

22. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. A condition to ensure finished materials match those specified in the application form is also required in the interests of the character and appearance of the area.

23. A condition limiting the permission to ancillary accommodation is reasonable and necessary to define the permission and to prevent the use of the building as a separate dwelling. Such a condition would avoid the necessity of further conditions controlling gates and fences etc. A condition seeking the reversion of the building to becoming incidental to the main house would not be reasonable.

24. A condition preventing additional openings other than those shown on the approved drawings from being inserted is also necessary in order to protect the living conditions of neighbours. There is no necessity for a landscaping scheme for a building within an established rear garden.

Conclusion

25. For the above reasons, having considered the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions in the schedule below.

Stewart Glassar

INSPECTOR

Schedule of 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: Site Location Plan; Block Plan; and Proposed Elevations and Floor Plan (Drawing Number PL-01C).

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as described on the application form.

4) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 83a Chalk Road, Gravesend, Kent DA12 4UT and shall not be put to use as an independent dwelling at any time.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors, windows or openings other than those expressly authorised by this permission shall be inserted or formed on the building hereby permitted.

End

APPENDIX E - APPEAL REF: APP/E2001/D/23/3332779

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The Planning Inspectorate

Appeal Decision

Site visit made on 19 March 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2024

Appeal Ref: APP/E2001/D/23/3332779
The Old Stables, Long Street, Rudston, YO25 4UH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Waldie against the decision of East Riding of Yorkshire Council.
- The application Ref 23/02576/PLF, dated 27 July 2023, was refused by notice dated 3 November 2023.
- The development proposed is described as 'erection of detached garage/self-contained annexe building.'

Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage/self-contained annexe building at The Old Stables, Long Street, Rudston, YO25 4UH in accordance with the terms of the application, Ref 23/02576/PLF, dated 27 July 2023, subject to the conditions in the attached schedule at the end of this decision.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the character of the surrounding area. The appeal site comprises a large, detached house built a few years ago which is one of several modern dwellings on Long Street. It has a large rear garden and a paddock beyond that. The dwelling has two driveways, one to the front of the host dwelling and another to the side that would provide access to the proposed building which would be sited in a corner of the rear garden. It would provide a garage/store and a living/kitchen area at ground floor level which would face across the garden to a rear patio window in the host dwelling. At first floor level there would be a bedroom and office facing to the rear across the paddock and a shower room.

3. The part of the appeal site in which the proposed building would be sited lies within a defined Countryside location and a defined Important Landscape Area (ILA) in the East Riding Local Plan 2012-2029 (LP) (adopted 2016) which forms part of the development plan. Together LP policies ENV1, ENV2 and S4 seek to ensure that proposals achieve a high quality of design, are sympathetic to the landscape character of the ILA and are of an appropriate scale to their location. The more recent National Planning Policy Framework has similar objectives.

4. The host dwelling lies within a row of four large, detached dwellings in the central part of Long Street within the village of Rudston. Whilst the pattern of development along the street is generally linear, I saw at my visit that several

dwellings on both sides of the road have outbuildings or garages set back from the street in their rear gardens. Those include Rose Cottages and Broadacres on the opposite side of the road and the two dwellings immediately to the south of the appeal site. There is also a cul-de-sac of smaller dwellings at Donna Fields.

5. The siting of the proposed building would be broadly in line with the rear gardens of dwellings at the rear of Donna Fields and with the garages in the neighbouring gardens to the south. It would, therefore, lie within an area of domestic character and would not intrude on the more open countryside to the rear of the site.

6. Its size and footprint would be similar to that of a double garage and although it would be slightly higher than some garages, it would be subservient in scale to this large, two storey extended dwelling. There would be a small dormer in the front elevation and two small dormers in the rear elevation which would reflect the gabled roofs of the extended part of the dwelling.

7. The building would be set back significantly from Long Street and from there would be seen at a distance in the context of the side elevations of the host dwelling and a dwelling at Donna Fields. From the dwelling at Donna Fields and from the footpath adjacent to the Gypsey Race stream which bounds the site to the north and is an important feature of the ILA, it would be seen but would be partially screened by the dense planting along the stream. Any views from there would be within the context of the garages of the dwellings to the south and a timber stables block in an adjoining paddock to the south of the appellant's paddock. Although it would have a domestic appearance, in the context of the surrounding domestic elevations and garages, it would not be uncharacteristic.

8. I have noted that it may be possible to erect a storage building of significantly greater footprint and modern materials as permitted development and create additional living accommodation within the existing host dwelling if this appeal were dismissed and it seems a likely and realistic possibility that the appellant may choose to do that. That could result in some harm to the character of the landscape and this matter therefore adds a small amount of weight in favour of the proposal.

9. The Council considers that it would amount to a separate unit of accommodation. Whilst it would provide facilities that would allow for independent living, there are other factors that point to it as an annexe that is physically, functionally and visually linked and incidental to the main dwelling. Those are that it would be subservient in scale, would not have a separate garden area, would have a high degree of intervisibility with the host dwelling and would remain in the same ownership. I am satisfied, therefore, that it would not amount to a separate dwelling and have determined the proposal on the basis as submitted, for a residential annexe.

10. For these reasons, I conclude that the proposal would not cause significant harm to the character of the surrounding area and would accord with LP policies ENV1, ENV2 and S4.

Conditions

11. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition requiring matching external materials is necessary in the interests of character and appearance. A condition which seeks to restrict the use of the proposed building to a residential annexe is reasonable, necessary and enforceable, to prevent the proposed building being used or occupied as a separate and independent dwelling. I have also attached conditions for the disposal of surface water and foul drainage as the Council's Land Drainage Team had requested similar conditions. Those are necessary to ensure that a satisfactory drainage system is proposed for the site that will not increase pollution or flood risk to the site or adjacent land given the proximity of the site to the Gypsey Race chalk stream.

Conclusion

12. For the reasons given above, the proposed development would accord with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

Inspector

Schedule of 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: 2080-TOS-010 Rev B, 2080-TOS-019 Rev B, 2080-TOS-200.

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.

4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at the Old Stables, Long Street, Rudston.

5) The building hereby permitted shall not be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

6) The building hereby permitted shall not be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a No Entry sustainable drainage scheme is to be provided, the submitted details shall: provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; include a timetable for its implementation; and, provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

End of conditions.