



Appeal Decision

Site visit made on 26 January 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2022

Appeal Ref: APP/E2530/D/21/3281100

The Annexe, 11 Ermine Close, Stamford PE9 2XW

- 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 C Wilson against the decision of South Kesteven District Council.
 - The application Ref S21/0888, dated 5 May 2021, was refused by notice dated 8 July 2021.
 - The development proposed is the construction of a conservatory to the rear elevation of the annexe.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a conservatory to the rear elevation of the annexe at The Annexe, 11 Ermine Close, Stamford, PE9 2XW in accordance with the terms of the application, Ref S21/0888, dated 5 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: WIL 21/04-001; WIL 21/04-002 & WIL 21/04-003 Rev A.
 - 3) The development hereby permitted shall be undertaken in materials that match the existing materials of the annexe.

Main Issue

2. The main issue is whether the works would undermine the ancillary nature of this annexe.

Reasons

3. 11 Ermine Close is a bungalow that has next to it, in its grounds, a smaller single storey building. This was granted planning permission in 2010 as a 'granny annexe', with a condition imposed stating it could only be used for purposes ancillary to the residential use of No 11.
4. The proposal would be increasing the floor area of the annexe. However, this would not be great in either absolute terms or relative to the existing building. Moreover, being substantially glazed it would be a light, open, unimposing structure that would not appear to be part of the main habitable floorspace of the annexe, while it would sit within the extent of the end gable, set back from the line of the annexe's side walls. Taking these factors together, it would constitute a subservient addition to the building. As such, it would not

undermine or compromise the annexe's ancillary nature in relation to No 11 or challenge the dominance of No 11 on the plot.

5. The conservatory would not be readily apparent from the public domain, but it could be seen from adjacent dwellings. However, the sizes of those surrounding gardens and the limited height of the proposal mean it would not have a dominant or imposing effect on the living conditions of neighbouring residents or detract from the character and appearance of the area.
6. In order to ensure the structure did not appear discordant and for the avoidance of doubt, conditions should be imposed requiring the extension to be built of materials that matched the existing and be constructed in accordance with the approved plans.
7. Accordingly, I conclude that the development would not undermine the ancillary relationship between the annexe and No 11, and so would not conflict with Policy DE1 in the *South Kesteven District Council Local Plan*, which seeks development that is appropriate in scale, massing and density, or the requirements for good design in the *National Planning Policy Framework*. The appeal is therefore allowed.

JP Sargent

INSPECTOR