
Appeal Decision

Site visit made on 18 October 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th November 2022

Appeal Ref: APP/W1850/D/22/3296909

School House Cottage, Stockley Hill, Peterchurch HR2 9PR

- 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 Richard Jacobs, Soames against the decision of Herefordshire Council.
 - The application Ref 213221, dated 18 August 2021, was refused by notice dated 27 January 2022.
 - The development proposed is the removal of the existing stable outbuilding and replacement with an annexe to serve the main house.
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Decision

1. The appeal is allowed and permission is granted for the removal of the existing stable outbuilding and replacement with an annexe to serve the main house at School House Cottage, Stockley Hill, Peterchurch HR2 9PR, in accordance with the terms of the application, Ref 213221, dated 18 August 2021, subject to the attached schedule of conditions.

Main Issues

2. The main issues are (i) whether the annexe would be seen as secondary or subservient to the host dwelling and thus be acceptable in relation to the character and appearance of the area and (ii) whether the foul and surface water drainage arrangements would be satisfactory.

Reasons

Character and appearance

3. The proposal is for a two-storey detached annexe building within the substantial triangular shaped grounds of School House Cottage, an isolated dwelling on a minor road between Tyberton and Peterchurch with farmland on all sides. Despite its name, School House Cottage is quite a substantial brick-built property dating from 1864 with a pitched, slate roof and surrounded by well-established gardens. The annexe would replace an existing single storey stable building towards the northern corner of the site, away from the road.
4. The annexe building would be appreciably larger than the existing stables, with a ground floor footprint of about 63 m² compared to the existing 44 m² and in addition first floor floorspace of about 44 m² to give a total of about 107 m². However, this would still only amount to about half the 210 m² floorspace of the main house. In addition, the building would have a low eaves line, well below that of the main house, with the first-floor accommodation fully utilising

the roof space. It would be set away from the main house and being built with contrasting timber boarded elevations would have the appearance of an ancillary outbuilding rather than a separate dwelling. The annexe would include a wet room but is primarily designed as a studio with mezzanine floor and storage above and would lie just across from the back door of the main house, giving easy access. In addition, being to the rear of the main dwelling with the entrance drive to the front, the annexe would be relatively discreet within the site and not easily severable as an independent property. Taking these factors together, the scale and design of the proposal would not result in a building out of keeping with the area as feared by the Council.

5. For these reasons the annexe would be seen as secondary or subservient to the main dwelling and as a result would be acceptable in relation to the character and appearance of the area. The proposal would therefore comply with Policies SD1 and LD1 of the Herefordshire Local Plan Core Strategy 2015 (HLP) which seek to ensure development takes account of local context and that site character positively influences the design, scale and nature of proposals. The reason for refusal also refers to two policies in the Peterchurch Neighbourhood Plan 2017 but the site lies in Tyberton parish so these do not apply. No party draws attention to any relevant policies in the Wyeside Neighbourhood Plan 2018 which does apply to the area concerned.

Foul and surface water drainage

6. No details of foul or surface water drainage were provided with the application but it has since been confirmed that the foul drainage for the annexe would be to the existing septic tank and surface water would be discharged to a suitable soakaway system. These arrangements can be secured by condition and consequently there is no risk of any impact on the River Wye Special Area of Conservation and Site of Special Scientific Interest. The proposal thus complies with HLP Policies SS6, LD2, SD3 and SD4 which protect such areas.

Conclusion

7. The proposal would not significantly affect the character and appearance of the area and the foul and surface water drainage arrangements can be controlled by condition. Accordingly, there is no reason for permission to be withheld.
8. The Council have suggested four conditions should the appeal be allowed which have been assessed against the necessary tests. In addition to the standard implementation time limit it is necessary to define the approved plans in the interests of certainty. Conditions are also necessary to restrict the use of the building and to prevent severance from the main house to prevent the establishment of an independent dwelling. A further condition is necessary to ensure contrasting materials are used to demonstrate the status of the building as a secondary or subservient annexe and finally a condition to control foul and surface water drainage in order to prevent flooding and pollution.
9. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Floor Plans, Elevations & Section Pcly.3 200 B
Proposed Ground Floor Plans & East Elevation Pcly.3 201 C
House Existing Floor Plans & Elevations Pcly.3 100
Location & Block Plan Pcly.3 001 A
Proposed 3D Images Pcly.3 210
Proposed Site Plan Pcly.3 203
Existing Site Plan Pcly.3 10
Stables Existing Floor Plans, Elevations & Section Pcly.3 101 A
- 3) The development hereby permitted shall be constructed using the materials specified on the approved plans unless the local planning authority give prior written approval for any variation.
- 4) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as School House Cottage.
- 5) The outbuilding hereby permitted and the dwelling known as School House Cottage shall not be sold, leased or let separately from each other.
- 6) Prior to the commencement of development (other than demolition) the arrangements for the disposal of foul and surface water from the annexe building shall be submitted to and approved in writing by the local planning authority. The development shall then be completed in accordance with the approved details.