
Appeal Decision

Site visit made on 27 August 2024

by Peter D. Biggers BSC Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd September 2024

Appeal Ref: APP/C1570/W/24/3341685

Brook Farm, Steventon End, Ashdon, Essex CB10 2JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms J Williams against the decision of Uttlesford District Council.
 - The application Ref is UTT/23/3041/HHF.
 - The development proposed is conversion of outbuilding to annexe.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of outbuilding to annexe at Brook Farm, Steventon End, Ashdon, Essex CB10 2JE in accordance with the terms of the application, Ref UTT/23/3041/HHF, and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is whether the proposed development given its scale, siting and design would be acceptable as an ancillary residential annexe dependent on the host dwelling and appropriately located in the countryside.

Reasons

3. Brook Farm is located on the north side of the road through Steventon End and is a large two storeyed, modern, detached house finished in render and slate and set well back from the road. The house sits in a large plot and to its rear, sitting within an orchard, is the outbuilding which it is proposed to convert to a residential annexe.
4. The outbuilding is a long narrow building with double garage doors in its front facing gable end. The roof is supported off brick piers which appear to provide the basic structure of the building and appear sound but the blockwork exterior skin to the building, windows and doors appeared to be in a poor condition. There would therefore be a substantial element of rebuilding of the external walls to enable the conversion and create the residential annexe but it is not proposed to extend the outbuilding from its existing footprint.
5. The site of the outbuilding is outside any settlement boundary and, as a countryside location, Policy S7 of the *Uttlesford Local Plan* (ULP) applies. Development would only be acceptable if it needs to take place there or would be appropriate in a rural area and would protect or enhance countryside character. As an existing residential property, householder development

associated with the dwelling needs to take place there and would be appropriate in principle notwithstanding the countryside location.

6. The Council has produced a *Supplementary Planning Document – Home Extensions* (SPD) for householders which advises that residential annexes should be joined to the main house and share the same garden and access. The outbuilding sits about 20 metres from the main house so would not meet the first requirement of the guidance but is within the orchard garden to the house and has no separate access. It has been put to me that the SPD advises that the annexe should not be self-contained but I can find no statement to that effect in the SPD. The proposal would create a physically self-contained annexe in as much as it would have its own bathroom and kitchen facilities in a separate building. However, this in itself does not indicate that an independent dwelling would be created and merely allows the occupant (in this case intended to be the appellant's mother and carer) to have some privacy. In any event, the annexe would share the access and parking area of the main house and its garden, would also share the utility services of the main house and the same postal address and there is no proposal to subdivide the plot. As such there would be a strong functional dependency on the main house and I am not persuaded by the Council's argument that the separation distance would erode the functional links.
7. Moreover, given that the occupancy and use of the annexe could be controlled by condition to ensure that it would remain an ancillary building to Brook Farm, I am satisfied that the annexe would not simply become an independent dwelling. The appellant has referred to an appeal decision of my own in this regard (ref APP/C1570/D/23/3315899) and, whilst the circumstances of that appeal are not directly comparable nor is the reference entirely accurate, I am satisfied that an occupancy condition in this appeal case could ensure that the annexe would not simply become an independent dwelling.
8. It has been put to me that the scale of the building would be out of proportion to the main house and would dominate it. I acknowledge that the outbuilding is long but in the context of a house the scale of Brook Farm it is still subservient. In any event, whilst this might have been an objection had the building been a new build structure, the outbuilding has been a domestic adjunct to Brook Farm for a considerable period of time. It is not proposed to extend the footprint or increase the height or substantially change its external form and I am not persuaded that the matter of scale would be a reason to dismiss the appeal.
9. Similarly, as a building of this size, scale and appearance has been a long-established feature of the plot and its countryside setting, its conversion and rebuilding in the simple style proposed would not harm the character and appearance of the countryside. Indeed, given the substantial screening around Brook Farm and around the outbuilding, the ability to see the building from the wider countryside to the north, east and west would be almost impossible. The only view of the annexe would be a glimpsed view from the road to the south and in this view the conversion would appear subservient and would represent an improvement over the current appearance of the outbuilding.
10. For the reasons above, principally the relationship to Brook Farm, that the building already exists as an ancillary building, that it is not proposed to extend it, that the annexe's external form would be similar to the existing form and

that the occupancy and use could be controlled by condition, I am satisfied that the proposal would not amount to the creation of an independent dwelling. The proposal would not therefore conflict with ULP Policy S7 or with Policy GEN2 on design and Policy H8 on extensions. Although not referred to in the decision notice the *Ashdon Neighbourhood Plan* policy on design ASH7 and the related *Ashdon Design Code* are also relevant but would also not be conflicted by the proposal.

Conclusions and Conditions

11. In conclusion, I am satisfied that the proposal to repurpose the existing outbuilding as a residential annexe to Brook Farm, provided it's occupancy and use is controlled by condition to be ancillary to the main house, would be acceptable. The appeal is allowed and permission is granted for the annexe.
12. The Council did not provide any proposed conditions in its appeal questionnaire in the event the appeal was allowed. I have therefore prepared a schedule of conditions in the light of the advice in the *National Planning Policy Framework* and *Planning Practice Guidance* and consulted the parties on these. No concerns have been raised regarding these proposed conditions and I will therefore impose them.
13. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty.
14. Given the limited detail provided in respect of the materials to be used and, in order to safeguard the character and appearance of the surroundings of Steventon End, two conditions need to be added requiring details of external materials, including colour of materials, to be submitted to and approved by the Council and the submission and implementation of a landscaping scheme.
15. Finally, as set out above a condition on the use and occupancy of the annexe is necessary to ensure that it will not be used and operated as a separate, independent dwelling to Brook farm.

P. D. Biggers

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the submitted documents and following approved plans: Existing and Proposed Plans and Elevations; Block and Location Plan.
3. Prior to any works above floor slab level, a schedule of materials details to be used in the external finishes of the annexe hereby permitted shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in full accordance with the approved materials.

4. Prior to any works above floor slab level, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees on the land, identify those to be retained and new planting. Thereafter, the development shall be carried out in accordance with the approved scheme prior to occupation of the annexe hereby approved.

5. The annexe hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as Brook Farm, Steventon End, Ashdon by the family or dependents of its occupants.