

Annexe Guidance Note

Introduction

Residential annexes are a common form of development that are generally proposed in order to allow relatives to live with their family with a degree of independence. In many cases, such proposals are considered to be acceptable by the Council. However, caution needs to be exercised to ensure that this does not result in proposals which are effectively the same as creating a new dwelling, which may be in an inappropriate location and represent unsustainable development.

General Policy Considerations

In planning terms annexes should normally:

- a. Have a functional link with and be ancillary to the principal dwelling. This means that the occupants of the annexe would rely on facilities within the main dwelling or would require the support of its occupants or vice versa.
- b. Be in the same ownership as the principal dwelling and remain as such.
- c. Be within the curtilage of the principal dwelling and share its vehicular access.
- d. Be well related to the principal dwelling and could be an extension to the principal dwelling, a detached new building or the conversion of an existing building. In the countryside, annexes should be a physical extension to the principal dwelling wherever possible. If it is not possible to extend the dwelling then clear justification must be provided to demonstrate why the annexe needs to be within a separate building. As a guide, the annexe should not exceed 50% of the footprint of the existing dwelling and it should be demonstrated how it can be incorporated into the main dwelling when there is no longer a need for the annexe.
- e. Have no boundary demarcation or sub division of garden areas between a curtilage annexe and principal dwelling.

- f. Be of a scale subservient to the principal dwelling and comply with the Council's normal design standards.

It is recognised that no two proposals will be the same and applicants/agents are therefore strongly advised to submit a supporting statement with their application to explain in what way(s) the proposed annexe will be used ancillary to the host dwelling. Information such as who will occupy the annexe, their relationship with the occupants of the host dwelling, what shared use of rooms in the host dwelling is proposed etc. should be included, together with comments on how the proposal complies with criteria a to f above. Annexe proposals that include more than one bedroom will normally be refused unless there is a specific and compelling reason for a second bedroom. For example, the occupants of the annexe require live-in care which the occupants of the host dwelling are unable to provide (an explanation of why this would not be possible would be required) or, where a parent or parents occupying the annexe require additional accommodation for children. The size and floor plan of the annexe should not facilitate the subsequent subdivision of rooms but consideration could be given to homeworking space if a need can be demonstrated. Planning case officers may request further information if a greater understanding of the context and justification for the proposal is required.

It should be noted that annexes are specifically excluded from the permissive subdivision of dwellings element of Policy 7 of the Cornwall Local Plan (Strategic Policies), under paragraph 2.35 of the explanatory text.

Issues for Registration

The definition of "householder application" in the 2015 Procedure Order is:

"householder application" means—

(a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse; or

(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development,

but does not include an application for change of use or an application to change the number of dwellings in a building;

This would include all proposals for annexes which are extensions to the dwelling (and which relate to development ancillary to the use/occupation of the existing dwelling). Such applications attract a fee of £206*.

Detached annexes and outbuildings used for 'ancillary' purposes do not fall within the definition set out in the Procedure Order.

Note:

- i) Incidental outbuildings within the curtilage of dwellings (garage, shed, store, home office, hobby room, home gym etc.). Fee £206*, householder application form.
- ii) Ancillary outbuildings within the curtilage of dwellings: bedroom, bathroom, living room etc. but not fully self-contained. Fee £206*, full planning application form.
- iii) Self-contained outbuildings (bedroom, living room, bathroom, kitchen – facilities of a dwellinghouse) Fee £462*, full planning application form.

**Fees correct as of December 2019 and may be subject to change.*

Conditions

Where there are sound planning reasons why the creation of an additional dwelling would be unacceptable it may be appropriate to impose a planning condition to the effect that the annexe/ancillary accommodation permitted shall be used solely as accommodation ancillary to the main dwelling house.

In such cases, the Council will normally impose one of the following two conditions **and in most cases the first condition will apply:**

The annexe as indicated on Drawing No xxxx shall only be used as ancillary accommodation. The annexe shall only be occupied by members of the family or non-paying guests of the occupiers of the dwelling (outlined in blue) known as xxxxxx, and shall not be used at any time as a separate residential unit of accommodation.

or

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 xxxxxx

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