

**5 SE2003/1267/F - USE OF RESIDENTIAL ANNEXE AS A DWELLING. JUANA LODGE, SYMONDS YAT, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6BJ**

**For: Mrs A Snow per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire, HR9 5JX**

**Date Received: 28th April 2003      Ward: Kerne Bridge      Grid Ref: 5534 1727**

**Expiry Date: 23rd June 2003**

Local Member:      Councillor Mrs R Lincoln

**1. Site Description and Proposal**

1.1 The application premises are located in open countryside and on the south-east side of the B4161 about 100 metres to the south-west of the entrance to the Symonds Yat Leisure Park. They comprise a detached bungalow (Juana Lodge) situated to the rear of Juana, a two-storey house. Planning permission (SH960501PF) was granted in 1996 for a single-storey annexe. The approved plans show the annexe attached to the garage of Juana (by the dining room according to the approved plans but only by a porch on the Building Control submission). The annexe is not however attached to Juana and it is understood that it was built like this or was separated a number of years ago. A conservatory (about 4 metres x 3 metres) has been added to the rear of the lounge.

1.2 A Condition (No. 5) attached to the permission restricted use of the annexe as follows:

"The annexe hereby approved shall at all times remain in residential use dependent on the existing use of the existing dwelling, the whole being and continuing to be within the same curtilage and a single planning unit."

It is now proposed to use the annexe as a separate dwellinghouse.

**2. Policies**

**2.1 Planning Policy Guidance**

PPG7	The Countryside: Environmental Quality and Economic and Social Development
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**2.2 Hereford and Worcester County Structure Plan**

Policy H20	Residential Development in Open Countryside
Policy CTC1	Area of Outstanding Natural Beauty

**2.3 South Herefordshire District Local Plan**

Policy SH11	Housing in Open Countryside
Policy C5	Development within AONB

Policy GD1                      General Development Criteria  
Policy T1A                    Environmental Sustainability and Transport

### 2.3 Unitary Development Plan – Deposit Draft

Policy H7                      Housing in the Countryside Outside Settlements  
Policy H17                    Sub-division of Existing Housing

## 3. Planning History

- 3.1    SH96/60501/PF                      Single-storey annexe                      - Permitted 20.8.96.  
       SH95/0127/PF                      Extension (self-contained annexe)       - Permitted 5.4.95.

The latter appears to have been erected but there is no external staircase and access is therefore presumably through the main house.

## 4. Consultation Summary

- 4.1 Environment Agency's response is awaited.

## 5. Representations

- 5.1 The applicant's agent makes the following case:

- (1) The annexe comprises two bedrooms and all facilities to be found in a dwelling including a medium-sized private garden and dedicated car parking spaces. The use of the annexe as an independent dwelling is achievable without any internal or external changes to these buildings. Therefore, there would be no impact on the environment.
- (2) A taller boundary fence between the gardens of both properties and that the obscure glazing of bathroom window on the main house is required which could be addressed by the imposition of planning conditions.
- (3) There is no planning policy relating to the sub-division of dwellings. The Council, however, intends to adopt such a policy within its emerging Unitary Development Plan. Policy H17 will permit the sub-division of dwellings subject to the provision of adequate car parking and access, living and garden space and no harm being caused to the character of the site, adjoining properties and locality. The proposed use of the annexe as a dwelling would accord with all these criteria and the objectives of PPG3 'Housing' which seeks, inter alia, an efficient use of buildings and to secure an appropriate mix of house types to meet housing needs for properties.

- 5.2 Whitchurch Parish Council has no objection to the proposal.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

- 6.1 The application premises comprise a detached bungalow with garden to the rear and front with extensive hard surface area adjacent to the highway. The bungalow has a

full range of facilities. The second bedroom ( small double bedroom size) is accessed directly off the kitchen but was originally intended as a dining room. The building is only 1m. or so from the rear of the garage of the main house and from the boundary fence dividing the rear gardens of the two properties. Nevertheless there is adequate separation and privacy for there to be acceptable living conditions for the occupiers of the two dwellings whether or not they are related. The bungalow is set back from the main house and is not prominent from public viewpoints.

- 6.2 The annexe was permitted partly it seems in view of the personal circumstances of the applicant, whose medical problems “requires single-storey purpose-built accommodation” (according to the applicant’s agent). On completion of the annexe the applicants moved in but Mr Snow sadly died a few years ago but Mrs Snow continues to live in the bungalow. The main house has been occupied for less than 2 years in total it is understood and mainly by an unrelated household. The current proposal would allow the main house to be let or sold and Mrs Snow to continue to reside at the bungalow, without further breaching condition No. 5 (see paragraph 1.2 above).
- 6.3 There are no statutory policies directly related to sub-division. Policy H17 of the UDP would allow this but has limited weight in view of the early stage in the development plan process. In general, creation of separate dwellinghouses has been resisted because of the additional traffic, domestic impedimenta (washing lines, garden sheds etc) and pressure for extensions to small annexe buildings. In this case the size of the bungalow means that extension is not necessary, a conservatory and garden shed have been built and the rear garden is screened from public view. The house is not isolated although the bus route is about 400 metres away and some of the facilities at Whitchurch (in particular the village shop) are on the north side of the A40. However if permission is granted this would allow the current occupant, for whose benefit the annexe was originally permitted, to continue to live at Juana Lodge and the vacant house to be occupied.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

**1 E16 (Removal of permitted development rights )**

**Reason: To protect the visual amenities of this part of the Wye Valley Area of Outstanding Natural Beauty and the amenities of neighbours.**

**2 Before this permission is implemented a 1.8 metre screen fence shall be erected along the boundary to the rear of Juana and the side of Juana Lodge in accordance with details which have been submitted to and approved in writing by the local planning authority.**

**Reason: To protect the amenities of the occupiers of Juana.**

**3 Prior to the occupation of Juana and at all times thereafter the bathroom window which faces Juana Lodge shall be glazed with obscure glass only (and shall be non opening).**

**Reason: In order to protect the residential amenity of adjacent properties.**

**4 H10 (Parking - single house )**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.