

**GRANNY ANNEX/ ANCILARY ACCOMMODATION**

GRANNY ANNEX

70 PADNELL AVENUE

WATERLOOVILLE

PO8 8DT



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## **Regulatory Background**

This application has been submitted as a householder application.

Paragraph 28 of Circular 04/08 states that "It should be noted that fee calculations can be affected by whether ... accommodation proposed to be created through either construction or change of use) will amount to a dwellinghouse."

There is no statutory definition of a dwellinghouse but it is well established in case law that the building should have the facilities required for day-to-day private domestic existence AND it is also necessary that it should be so used.

This proposal is not for a dwellinghouse, but ancillary accommodation for family members. Whilst we accept that the proposed accommodation would contain all the facilities required for it to be used as an independent unit, its overall size would be small and the level of facilities it would provide would be basic, which is what would be expected for accommodation that is ancillary to the main dwelling. Furthermore, Circular 11/95 provides a model condition which could be attached to this permission to ensure that the occupation of this unit remains ancillary.

The provision of granny annexe's is supported by central Government, Laying the Foundations: A Housing Strategy for England document, which states;

*"Planning homes and communities that enable older people to remain economically active, involved with their families, friends and community and able to choose where and how they live not only makes financial sense but also results in a better, more inclusive society."*

## **Sustainable Development**

The National Planning Policy Framework is at the forefront of driving sustainable development in the country, and states that there should be an automatic presumption in favour of sustainable development. Paragraph 14 of the Framework sets out the context within which this presumption should be applied.

The NPPF puts great weight on considering local needs, **and** approving sustainable proposals without delay.

The NPPF defines three dimensions to sustainable development:

- An Economic Role
- A Social Role
- An Environmental Role

Each dimension to sustainable development will be applied and tested against the proposal.

### **An Economic Role**

The proposal provides an affordable unit of ancillary accommodation for the applicant's family members. It also ensures the site is being used efficiently and, in its own small way, bolsters the construction industry.

### **A Social Role**

The personal circumstances of the applicants justify the need for this annexe.

The requirement to provide affordable and sustainable accommodation for elderly family members is ever increasing. Age UK published 'Care in Crisis 2014' which sets out the very clear need for flexible accommodation solutions for the elderly:

- The number of people aged 85 and over (the group most likely to need care) has increased by 30 per cent between 2005 and 2014.
- Between 2005/6 and 2010/11 public funding for older people's social care stagnated.
- 21% increase of residents in nursing/residential homes since 2005.
- From 2010/11 to 2013/14 public funding for older people's social care (including transfers from the NHS to councils) decreased by 10 per cent in real terms.
- Councils have cut back on their funding for social care.
- In 2011, it was estimated that 2 million older people had care related needs.

The provision of a granny annexe within the residential curtilage creates a long term and sustainable solution to the needs of the aging population. The benefits include

- Allows family members to provide the care and support required.

- Reduces the stress and impact on local services, ie nursing homes, home visits from care professionals etc.
- Cost effective and affordable solution to supported living.
- Provides a measure of independence, while still being close to support.

'Annexes' can additionally provide ancillary living accommodation for younger members of the family, allowing them to save for deposits for their first home, improve living conditions, provide a measure of independence and allow extended families to stay together.

### **An Environmental Role**

The proposal will be sited within an existing residential curtilage on the footprint of an existing building. The structure is largely timber frame, which could be prefabricated, which minimises waste and any negative impact during construction/installation. The annexe also contains eco-friendly elements which allow it to assimilate within the garden and residential setting.

The structure is timber framed insulated building using FSC [Forestry Stewardship Council] or PEFC [Programme for the Enforcement of Forest Certification] timbers; [timber sourced from certified sustainable forests. Walls are insulated with 200mm Celotex or similar Polyurethane foam insulation, while roof and floors are insulated using a similar insulation of circa 200mm in depth.

All frames can be pre manufactured off site; a typical structure will be erected and completed on site in a 6-8 week time frame thus minimising the normally associated general noise and other disturbances on site.

## **The National Planning Policy Framework (NPPF)**

*"Planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole."*

In this case, the benefits of the scheme are that it:

- Provides for the needs of an elderly relative (Paragraphs 50 & 159);
- Improves living space (Paragraph 57);
- Provides and efficiently utilises a safe, secure and enjoyable garden (Paragraph 53); and
- Improving the living conditions of applicant (Paragraph 9).

Section 7 of the NPPF encourages the design of new development to be of a high standard and contribute to sustainability. The use of natural environmentally friendly materials with the annexe heeds this advice. The contemporary design of the annexe represents the highest standard of garden architecture and should be commended.

The annexe is compliant with the principles and guidance contained with the NPPF.

## Material Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The provision of granny annexes is supported by central Government in the report 'Laying the Foundations: A Housing Strategy for England (2013)'. It states:

*"Planning homes and communities that enable older people to remain economically active, involved with their families, friends and community and able to choose where and how they live not only makes financial sense but also results in a better, more inclusive society."*

With both an ageing population and young people finding it difficult to get on the housing ladder, the government is removing barriers to extended families that live together.

This is evident with the recent reduction to council tax for granny annexes and the exemption of CIL charges.

The Planning Inspectorate regularly acknowledge that granny annexes are ancillary accommodation, and this is reinforced by established case law. Some key examples where this principle has been established are set out below.

## Case Law

- In the case of *Uttlesford District Council v Secretary of State for the Environment & White [1992J]*, the relevant Local Planning Authority served an enforcement notice against an alleged creation of a living unit within a Worcestershire garden building. The structure was a log cabin that had formerly been a games room and store. It had since been divided into four rooms comprising a lounge with a kitchen area at one end and a bedroom, storeroom and bathroom at the other end.
- The Inspector for this case acknowledged that it contained all the facilities for day-to-day domestic existence and was capable of being used as a separate dwelling house. However, the Inspector also stated that this did not mean that it had been so used; Factors of significance were the lack of separate utility metres, postal address and telephone line. He also mentioned the lack of any separate curtilage or access arrangements. In this case the Inspector concluded that the cabin was still used in connection with the house and there had been no material change in the character of the use.