Suffolk Coastal Local Plan Examination

Hearing Day 8

Matter 4 Policies

Note on Policy SCLP5.13 Residential Annexes

1. This note responds to an action arising in the hearing session on Matter 4 Policies (Wednesday 18th September, AM) which relates to the provision of a note to set out modifications in relation to Policy SCLP5.13 Residential Annexes and the supporting text.

2. Inspector’s question 4.13 asked whether the policy and supporting text in paragraph 5.73 are consistent with national policy as set out in paragraphs 54 to 56 of the Framework in regard to the use of planning obligations and conditions? The Council provided a response on page 19 of its Matter 4 response which set out that the reference to the application of conditions is necessary to ensure that the policy is not supporting the delivery of single dwellings in the countryside which would be contrary to paragraph 79 of the NPPF.

3. During the hearing session the Inspector identified that the supporting text currently refers to ‘condition or planning obligation’ whilst the policy refers to ‘condition’ only. The Council would support a modification to provide consistency.

4. Discussion was also had at the hearings in relation to whether there was sufficient explanation within the supporting text in relation to the reasons for restricting occupancy as an annex. Such a condition or obligation is important to prevent the creation of a new dwelling that would not normally be permitted. For example, an annex may be appropriate where an access is shared with an existing dwelling however this may not be appropriate for a separate new dwelling. Within the countryside, restricting occupancy also ensures that the policy does not lead to the creation of isolated homes which would be contrary to paragraph 79 of the NPPF.

5. In order to add further explanation, the following modifications are proposed. Modifications are shown in strikethrough for deleted text and in underline for additional text. The Council will include this revised wording in the schedule of modifications that is being collated as part of the Examination.

Modifications to Paragraph 5.73:

“In order to ensure that annexes remain as such and are not sold, let or used as independent dwellings, occupation will be limited by way of a condition or planning obligation. The use of such conditions will ensure that annexes are not used as dwellings in locations, or under circumstances,
where a new dwelling would not usually be permitted. In particular, the creation of an annex should not lead to the creation of a new home in the countryside that would not be permitted under Policy SCLP5.3. Particular care will be taken in respect of residential annexes to ensure that, through design and/or planning conditions, annexes are not able to be separated from the main building in order to create a separate dwelling. Where an annex is proposed as an extension, its later incorporation into the host dwelling should not lead to the creation of two dwellings.”

Modifications to Policy SCLP5.13:

“An annex to an existing dwelling will be supported where:

a) The annex is smaller in scale and clearly ancillary to the host dwelling;

b) The proposal does not involve the physical separation of the residential curtilage;

c) No separate access is required;

d) The annex is either an extension or is well related to the host dwelling;

e) In the case of a new build annex, it is not feasible to create the annex through an extension or the conversion of an outbuilding;

f) There is sufficient off-road parking; and

g) There is no significant adverse effect on the landscape or visual amenity.

Conditions or planning obligations will be applied to limit occupation to use as an annex and to prevent future use as a separate dwelling, and Where an annex is proposed as an extension, it should be designed in a way which will enable it to be incorporated into the host dwelling when no longer required.”