

- Have a functional link with the principal dwelling (i.e. the occupants should be a dependant relative(s) or be employed at the principal dwelling);
- Be in the same ownership as the principal dwelling;

And wherever possible should:-

- Be within the curtilage of the principal dwelling and share its vehicular access;
- Be designed in such a manner easily to enable the annex to be used at a later date as an integral part of the principal dwelling;
- Have no boundary demarcation or sub division of garden areas between the curtilage annex and principal dwelling;
- Have adequate parking and amenity facilities (areas for bin storage, drying clothes, garden space etc) for the needs of the annex occupants and existing residents;
- Comply with the Council's normal design standards for extensions.

A key point when considering the link between the proposed annex and the existing dwelling is who uses it rather than what is provided within it. The test will be whether you would be happy with a "stranger" occupying the accommodation and sharing the garden and parking area etc. The Council recognises that no two applications will be the same; applicants should therefore bring to the Council's attention any other material considerations that may be relevant to the application. These will include full details of family circumstances relating to dependency or family connection to the intended occupant.

Should a planning application for an annex be approved, the Council may request conditions and a S106 undertaking in appropriate circumstances.

It should be noted that applications for an annex should be accompanied by a plan which includes the whole of the planning unit within the red line site area and not just the annex.



More information is available from
Development Control Service,
✉ Brympton Way, Yeovil, Somerset, BA20 2HT
💻 www.southsomerset.gov.uk
☎ 01935 462462
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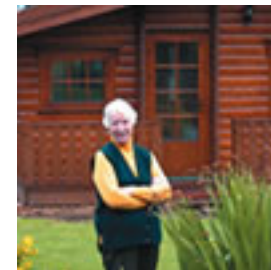
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☎ **01935 462462**

Dokument ten jest na życzenie udostępniany w językowych polskim.
Este documento encontra-se disponível em Português, a pedido.

Residential Annexes

A Guide for Householders



May 2008



Definition of Annex

A residential annex is accommodation ancillary to the main dwelling within the residential curtilage and must be used for this purpose. It is acknowledged that an extension of the house or conversion of an outbuilding may provide an opportunity to accommodate elderly or sick relatives in the curtilage of the main dwelling whilst giving them some degree of independence. However, the annex (or "granny flat") should form part of the same "planning unit" by sharing the same access, parking area and garden. A planning unit usually comprises the unit of accommodation, i.e. the residential unit and its surroundings. This is because the Council would wish to avoid the annex becoming a self contained dwelling, separate and apart from the original dwelling house, particularly where located in open countryside. Consequently the Council may attach conditions to prevent this occurring.

If the applicants' wish is to separate off part of their curtilage to form a new planning unit then there may be an acceptable way of doing so in built-up areas, and this should be discussed with planning officers, but not in the open countryside where new dwellings are not usually permitted. The layout, design and physical relationship between the house and the proposed annex will be important considerations for the council in deciding such planning applications, as will the size and scale of the accommodation to be provided. It is unlikely that a large annex would receive permission if its size is out of proportion to its intended use. As a guide, the scale should be such that the annex could be used as a part of the main dwelling once the dependency need has ceased.

Use of rooms within a Dwellinghouse

The use of existing rooms within a dwellinghouse for the purpose of accommodating a dependent relative or member of domestic staff would not normally require any form of planning permission. However the person using the annex should be clearly associated with the occupants of the principal dwelling house e.g. dependent relative or domestic staff working for the residents of the principal dwelling. Planning Permission will be required to create a separate flat with an independent entrance, which could either be

let or sold separately to the principal dwelling as this would constitute the creation of a new habitable dwelling irrespective of who is occupying it. Such a separate use of accommodation would be considered as "primary residential accommodation" and as such, would require planning permission.

Extensions to a Dwellinghouse (Class A GPDO)

Some extensions can be built without the requirement for planning permission. A leaflet published by the Government entitled "Planning a Guide for Householders" is available from the Council or by visiting www.planning.odpm.gov.uk/householders/index.htm. There is really no difference in planning terms between an extension to be used as an annex and one used to create additional rooms in a dwelling provided that it does not provide for totally independent living as "primary residential accommodation". Therefore if enough accommodation can be created using permitted development rights then this is the preferred option.

Conversions of Detached Buildings Within the Grounds of a Dwellinghouse

Existing detached buildings within the curtilage of a dwellinghouse such as stables, coach-houses, garages etc can be used for accommodation in association with the residential use of the principal dwellinghouse. Such buildings can be used as annexes as long as they do not become a separate self contained unit and thus a separate planning unit (primary residential accommodation). They should also not have separate boundary demarcation. There must therefore be a personal connection between the residents of the annex and the principal dwellinghouse e.g. a dependent relative or member of domestic staff. The change of use of such outbuildings to additional accommodation will not require planning permission provided that any works for alteration to enable the proposed use to take place fall within normal Permitted Development criteria.

Construction of Detached Buildings Within the Grounds of a Dwellinghouse (Class E GPDO)

Permitted Development allows "The provision within the curtilage of a dwellinghouse of any building..... required for a purpose incidental to the enjoyment of the dwellinghouse as such.....". More information on this can be found in the leaflet referenced above.

For many years the above statement has been strictly interpreted by the Secretary of State as excluding any accommodation erected for a purpose essential to a conventional dwelling (bedrooms, kitchen etc), only covering accommodation which is not in use as ordinary living accommodation and is purely for additional use in connection with the running of the main dwellinghouse or ancillary/leisure activities of persons living there. For instance a garden building containing a bedroom and bathroom will require consent whereas a similar building containing a swimming pool, sauna, changing rooms or playroom, which is clearly incidental to the use of the principal dwellinghouse may be permitted development subject to normal permitted development criteria. Therefore the erection of new detached buildings for the purposes of forming separate residential accommodation will require planning permission.

In order to ensure such accommodation is not severed from the main dwellinghouse without further consideration of the issues involved (access parking, creation of separate amenity space etc) a S106 Planning Obligation will be required tying any new free standing building used as an annex to the occupation of the principal dwellinghouse.

Where Planning Permission is Required:

Where planning permission is required for an annex, the Council is unlikely to grant planning permission where the development results in the creation of a separate dwelling, which in normal policy circumstances would not be acceptable.

In determining a planning application for an annex, the Council will expect the development to:-

- Be subservient / subordinate to the principal dwelling;