

WORSTEAD – PF/25/1687 – Erection of a detached ancillary garden annexe to provide accommodation for a dependent relative, incidental to the main dwellinghouse at Ambleside, The Footpath, Aylsham Road, Swanton Abbott.

Minor Development

- Target Date: 1st October 2025

Extension of time: 23rd October 2025

Case Officer: Joseph Barrow

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Civil Parish - Swanton Abbott

District Ward - Worstead

Countryside

RELEVANT PLANNING HISTORY

App No.	AP/24/0002
Description	Lawful Development Certificate for proposed siting of modular building within curtilage of dwelling for use as an annexe to the main dwelling
Outcome	Appeal Dismissed
App No.	EF/23/2459
Description	Lawful Development Certificate for proposed siting of modular building within curtilage of dwelling for use as an annexe to the main dwelling
Outcome	Permission/Approval required

THE APPLICATION

Seeks to erect a detached annexe within the front garden of the host property. The building is detached from the main dwelling, with a flat roof form, uPVC fenestration and cream render exterior.

REASONS FOR REFERRAL TO COMMITTEE

The application is referred to development committee due to the significant weight now afforded to relevant policies of the Emerging Local Plan, including an annexe specific policy which does not permit detached residential annexes. This application would be a departure from the emerging development plan policy, but is otherwise considered compliant with existing adopted plan policy. As such the application is brought forward for Development Committee determination at the request of the Development Manager.

PARISH/TOWN COUNCIL

Swanton Abbott Parish Council - Supports the application

CONSULTATIONS

NONE

REPRESENTATIONS

2 letters of objection received highlighting the following material planning considerations:

- Foul drainage capacity issues
- Application inconsistencies

1 letter of support received raising the following material planning considerations:

- Supporting of flexible and multigenerational living
- Subordinate design within the plot

HUMAN RIGHTS IMPLICATIONS

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the above matters, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application.

Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES

North Norfolk Core Strategy (adopted September 2008)

SS 1 – Spatial Strategy

SS 2 – Development in the Countryside

HO 8 – House Extensions and Replacement Dwellings in the Countryside

EN 4 – Design

CT 5 – Transport Impact of New Development

CT 6 – Parking Provision

Material Considerations:

National Planning Policy Framework (NPPF) (2024)

Chapter 2 – Achieving Sustainable Development
Chapter 4 – Decision-Making
Chapter 9 – Promoting Sustainable Transport
Chapter 12 – Achieving Well-Designed Places

North Norfolk Emerging Local Plan

The emerging North Norfolk Local plan has reached the **Main Modifications** stage following examination by the Planning Inspectorate. Public consultation on the modifications was undertaken during August and September 2025, and the Inspector's final report is pending. Adoption is currently anticipated November / December 2025.

Application of NPPF Paragraph 49

In accordance with Paragraph 49 of the National Planning Policy Framework (NPPF), weight may be given to policies in emerging plans based on:

1. Stage of Preparation - *The more advanced its preparation, the greater the weight that may be given.*

The plan is at an advanced stage in the examination which supports giving **moderate weight to its policies**

2. Extent of Unresolved Objections - *The less significant the unresolved objections, the greater the weight that may be given.*

- If there are major unresolved objections, especially to policies relevant to the application, the weight is reduced.
- If objections are minor or resolved, more weight can be given.

There are no significant unresolved objections and therefore **SIGNIFICANT** weight may be afforded to the following relevant Emerging Local Plan Policies:

- CC1- Delivering Climate Resilient Sustainable Growth
- CC3 - Sustainable Construction, Energy Efficiency & Carbon Reduction
- CC9 - Sustainable Transport
- SS1 – Spatial Strategy (Except Small Growth Villages which is apportioned no weight)
- SS2 - Development in the Countryside
- HC7 - Parking Provision
- ENV2 - Protection & Enhancement of Landscape & Settlement Character
- ENV6 - Protection of Amenity
- ENV8 - High Quality Design
- HOU6 - Replacement Dwellings, Extensions, Domestic Outbuildings & Annexed Accommodation
- HOU9 - Minimum Space Standards

There are some unresolved objections and therefore **MODERATE** weight may be afforded to the following relevant Emerging Local Plan Policies:

- CC2- Renewable & Low Carbon Energy

3. Consistency with the NPPF - *The closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given.*

The overall Plan as modified is considered to be consistent with national policy. This supports giving greater weight to the policies identified above.

Conclusion on Weight

The Plan has been found legally compliant and capable of being found sound and is in conformity with the NPPF. Having reached main modification stage, the Plan, as modified, remains a material consideration. The examination is still ongoing, and some objections remain unresolved / unknown, and as such, there remains the potential for further alterations prior to the issuing of the Inspectors final report and prior to adoption by the Council.

Taking into account the above factors, it is considered appropriate to give moderate and significant weight to the policies as set out above of the emerging Local Plan (as modified) in the determination of this application.

OFFICER ASSESSMENT

Main issues for consideration:

- 1. Principle of Development and Site History**
- 2. Design and Residential Amenity**
- 3. Highway Safety and Parking**

1. Principle of Development

As referenced above, the Council is currently attributing significant weight to a number of policies from the Emerging Local Plan (ELP). For this application the most important of those policies is HOU 6 which applies to annexes but crucially does not permit them if they are not attached to the dwelling that they serve.

This is a change in stance compared to the Adopted Core Strategy, where assessments of annexe proposals focus on Policy HO 8. This policy permits extensions to dwellings (and for the purposes of this assessment, annexes) in the countryside provided they *'would not result in a disproportionately large increase in the height or scale of the original dwelling, and, would not materially increase the impact of the dwelling on the appearance of the surrounding countryside.'* This policy makes no reference to whether the annexe proposed is attached to the dwelling.

This difference in policy approach is raised at the outset of this report because of its clear importance in assessing this scheme. Existing Core Strategy Policy HO 8 does not rule out annexe buildings which are detached from the host dwelling (subject to the criteria set out above) and that policy approach remains in general conformity with the National Planning Policy Framework. As such, Policy HO 8 continues to attract full weight.

Whilst ELP Policy HOU 6 attracts significant weight and, under this policy, the detached annexe would be considered a wholly unacceptable proposal in principle, Officers consider that the Committee should give greater weight to the adopted Development Plan, which includes the adopted Core Strategy Policy HO 8.

Currently, the decision maker must also consider material points such as the modest scale of the proposed structure, it being well-located within the plot, and not significantly altering the dwelling's impact upon the character and appearance of the immediate area.

Despite the departure from Policy HOU 6 of the ELP, it is considered that this application complies with Policies SS 1, SS 2 and HO 8 of the Core Strategy. It is important to emphasise that at this time the Core Strategy is the part of the adopted development plan that is afforded the most weight. As such, it is considered reasonable to find this application to be acceptable in principle.

2. Design and amenity

As discussed above, this application proposes a modest flat roof structure in this garden area of the property which it serves. The annexe proposal is sited to the south of the main dwelling, clad in cream MDF with uPVC fenestration, and a modular flat roof construction. It is not a building of particular interest or exceptional quality, however it is considered that its construction would not detract from the character and appearance of the dwelling or the surrounding area sufficient to warrant refusal, particularly given its modest overall scale.

The proposed building is sited in the south east corner of a plot which is very well-screened, benefitting from substantial hedges and trees to form its boundaries. It is a scheme which would not give rise to any privacy concerns or overbearing or overshadowing impacts due to the scale, position, and screening of the development.

The proposal is therefore considered to be acceptable in terms of its impacts upon design and amenity, having regard to Policy EN 4 of the CS, Policy EN 6 of the Emerging Local Plan as well as Chapter 12 of the NPPF (Dec 2024) and the North Norfolk Design Guide SPD.

3. Highway Safety and Parking

The erection of a small annexe on this site for ancillary accommodation purposes is not considered to create concerns in terms of highway safety or parking provision, given the distance of the site from the adopted highway network, and the existing parking area serving the dwelling.

The application is therefore considered acceptable in this regard subject to a condition securing the ancillary nature of the building, in accordance with the provisions of Policies CT 5 and CT 6 of the CS, Policy HC 7 of the Emerging Local Plan as well as Chapter 9 of the NPPF (Dec 2024).

4. Other Matters

It is recognised that concerns have been raised in regard to inconsistencies within the application and foul drainage. The Council are satisfied that the plans and description are sufficiently clear and accurate and that members are able to make a decision based on the information available at this time. Furthermore, the Council is not aware of any position (enforced by Anglian Water or otherwise) prohibiting development of this minor householder scale.

The annexe will be controlled by a suitably worded condition to be maintained as an ancillary unit of accommodation to the main dwelling.

Planning Balance and Conclusion

With minimal impacts upon design, amenity, highway safety or parking, it is considered that this application must be determined on the material considerations that arise from the proposals. It is the case that emerging policy HOU 6 is to be afforded significant weight and that the proposals depart from the strict wording requiring all annexes to be attached to the host dwelling. However, for the reasons given above officers consider it is more appropriate at this time to afford greater weight to the existing Adopted Core Strategy Policy HO 8. The proposals comply with adopted Policy HO 8 in terms of their scale, impact and ancillary nature to the host dwelling.

Taking account of the above, Officers consider that the proposal is acceptable in principle, complying with the Adopted Core Strategy. It is therefore recommended that this application be approved.

RECOMMENDATION:

APPROVAL subject to conditions relating to the following matters:

- Accordance with approved plans
- Materials as submitted
- Ancillary accommodation restriction

Final wording of conditions and any other considered necessary to be delegated to the Assistant Director – Planning