



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

16 September 2021



## S21/1372 & S21/1373

Proposal: Installation of a 7m by 3.5m sunken swimming pool on the Eastern side of the property, 3.5m parallel to the kitchen (LBC Ref S21/1373)

Location: St Vincents, St Vincents Road, Grantham, NG31 9EJ

Applicant: Mr Graham Jeal, St Vincents, St Vincents Road, Grantham, NG31 9EJ

Agent: n/a

Application Type: Householder & Listed Building Consent

Reason for Referral to Committee: Applicant is a District Councillor

Key Issues: Impact on listed building

Technical Documents: Design and Access Statement

### Report Author

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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Grantham St Vincent's**

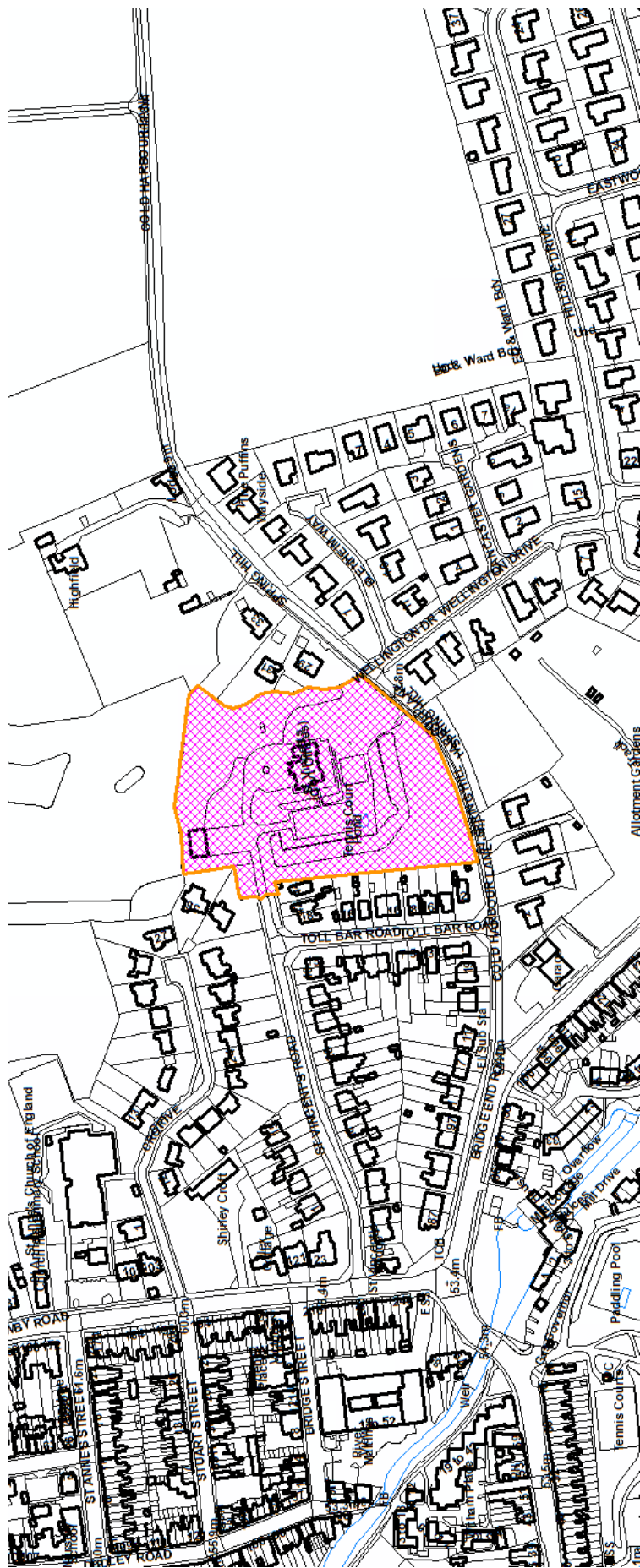
**Reviewed by:**

Chris Brown, Principal Planning Officer

1 September 2021

### Recommendation (s) to the decision maker (s)

Application is Approved Conditionally



Key



Application  
Boundary



## **1 Description of Site**

- 1.1 The application site is a large detached Gothic revival property set in landscaped gardens and sheltered woodland. The site is accessed at the end of a cul de sac off St Vincents Road where there is a sweeping driveway to the main property. There is an existing tennis court to the west side of the main dwelling together with outbuildings to the dwelling.
- 1.2 St Vincent's House is a Grade II listed detached Gothic Villa style property located within St Anne's Conservation Area. It was built in 1863 by industrialist Richard Hornsby. Its significance derives from its Gothic revival architectural quality and association with military history a from 1922-1977 it was property of the Air Ministry. From 1937 to 1943 it was the Headquarters of No.5 Group, Bomber Command. The famous 'Dambusters' raid by 617 Squadron was also controlled from the site.

## **2 Description of Proposal**

- 2.1 The proposal seeks planning permission for the installation of a sunken swimming pool, situated to the eastern side of the property. The proposed swimming pool would be 7.0m by 3.5m, with a depth of 1.5m, and would be located 3.5m away parallel to the host dwelling. The pool would be designed with integrated steps.
- 2.2 The proposal does not comprise of any additional development above ground level, with no elevational changes to the property.

## **3 Relevant History**

- 3.1 S20/1580 - Installation of stained glass windows in kitchen in 3 lancet windows on the south face of the building. Permitted 15/12/20.
- 3.2 Previous applications for outbuildings, solar panels to the garage and replacement rainwater goods have been permitted in 2018 and 2015.

## **4 Policy Considerations**

- 4.1 **SKDC Local Plan 2011 - 2036**  
Policy DE1 - Promoting Good Quality Design  
Policy SD1 - The Principles of Sustainable Development in South Kesteven  
Policy EN6 - The Historic Environment
- 4.2 **National Planning Policy Framework (NPPF)**  
Section 12 - Achieving well-designed places  
Section 16 - Conserving and enhancing the historic environment

## **5 Representations Received**

- 5.1 **SKDC Conservation Officer**

5.1.1 There are no objections given the location and size of the rear garden which can accommodate the swimming pool without being detrimental to the setting of the listed building. Clarification will be required if there are any supporting structures for the pool.

## 5.2 **SKDC Environmental Protection**

5.2.1 Environmental Protection has reviewed the documents in respect of the above application and as the proposed swimming pool is for private use, Environmental Protection has no comments to make.

## 5.3 **LCC Highways & SuDS**

5.3.1 For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

## 5.4 **Cadent**

5.4.1 The apparatus that has been identified as being in the vicinity of your proposed works is:

5.4.2 Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

# 6 **Representations as a result of publicity**

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

# 7 **Evaluation**

## 7.1 **Principle of Development**

7.1.1 The proposal relates to the installation of a sunken swimming pool. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Presumption in Favour of Sustainable Development) of the adopted Local Plan subject to assessment against site specific criteria. These include the impact of the proposal on the character or appearance of the area and listed building, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as below.

## 7.2 **Impact on the character and appearance of the listed building**

7.2.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the street scene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

- 7.2.2 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
- 7.2.3 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
- 7.2.4 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.2.5 Policy EN6 (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council.
- 7.2.6 The proposed sunken swimming pool will be situated to the eastern side of the property and does not comprise of any additional development above ground level.
- 7.2.7 The Councils Conservation Officer confirmed there are no objections given the location and size of the rear garden which can accommodate the swimming pool without being detrimental to the setting of the listed building (Grade II). However, clarification was requested to check if there are any supporting structures for the pool. The applicant confirmed there are no additional permanent structures associated with the planning application. The swimming pool is completely reversible and would not be visible from the public domain. It is therefore not considered that the proposal would not have any adverse impact on the existing dwelling and surrounding properties.
- 7.2.8 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, street scene and surrounding context. The development would not cause harm to the setting of the listed building in accordance with the NPPF Sections 12, NPPF Section 16 and Policy DE1 of South Kesteven Local Plan.

### 7.3 **Impact on the neighbours' residential amenities**

- 7.3.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 130 of the NPPF states that

developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.3.2 It is considered that the proposed swimming pool is sufficiently distanced from any neighbouring residential properties for any harm to be caused by means of loss of privacy or excess noise.
- 7.3.3 Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

#### 7.4 **Highway issues**

- 7.4.1 Paragraph 111 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.4.2 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

### 8 **Crime and Disorder**

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

### 9 **Human Rights Implications**

- 9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
- 9.2 It is considered that no relevant Article of that act will be breached.

### 10 **Conclusion**

- 10.1 Taking the above into account, it is considered that the proposal is appropriate for its context and would not result in any harm to the character and appearance of the listed building in accordance with the NPPF Section 16, and Policies EN6 and DE1 of the adopted South Kesteven Local Plan.

**RECOMMENDATION: that the development is Approved subject to the following conditions**

**Time Limit for Commencement**

- 1 The works hereby consented shall be commenced before the expiration of three years from the date of this consent.

Reason: In order to ensure that the works are commenced in a timely manner, as set out in Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### **Approved Plans**

- 2 The works hereby consented shall be carried out in accordance with the following list of approved plans:
  - i. Location plan received 07 July 2021
  - ii. Proposed block plan, received 14 July 2021
  - iii. Proposed elevations, received 07 July 2021Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

### **During Building Works**

- 3 Prior to the completion of the excavation of the swimming pool hereby permitted, details of the materials to be used in relation to the pool surround (including any potential landscaping) must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

### **Prior to occupation/first use**

- 4 Before any part of the development hereby permitted is brought into use, the detailing of the pool surround shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

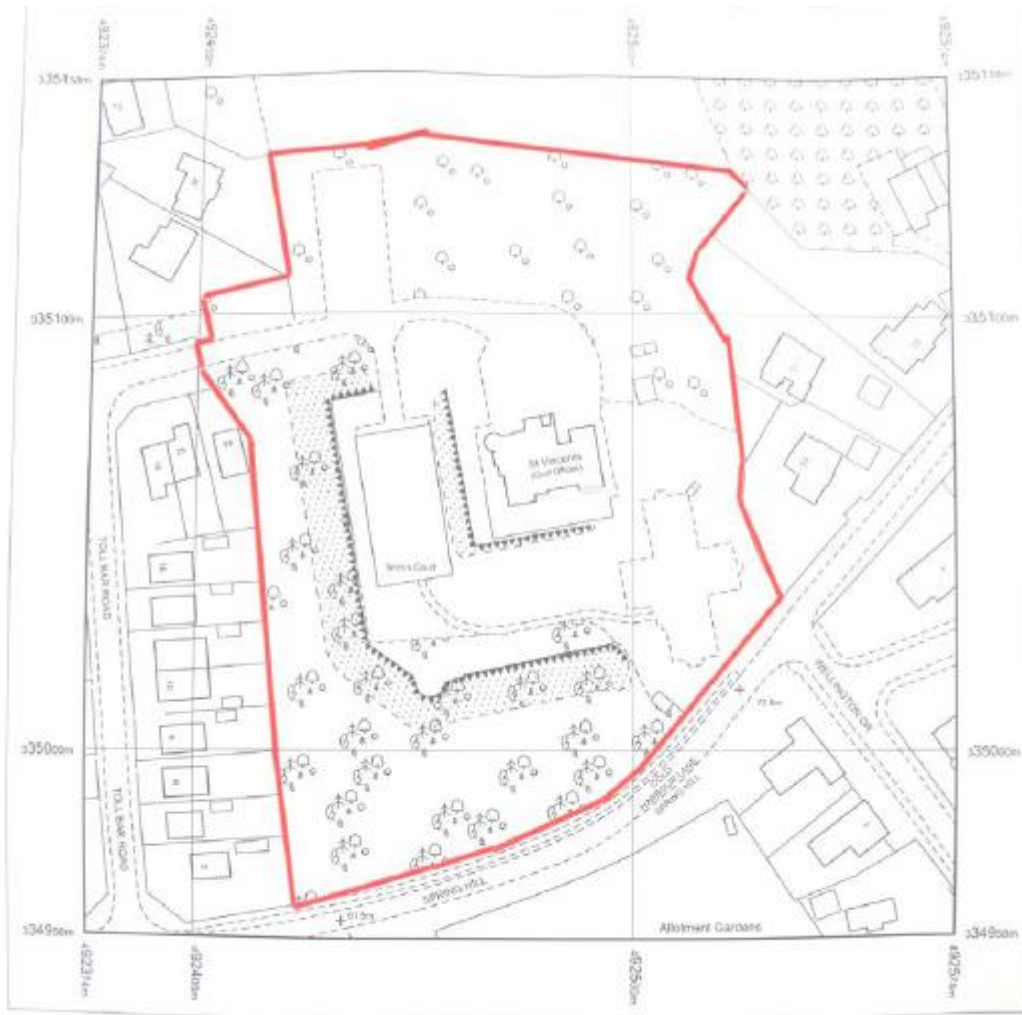
### **Standard Note(s) to Applicant:**

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- 2 You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 03330 038132) to ascertain the level of protection required and whether a geological assessment is necessary.

- 3 Your attention is drawn to the comments of raised by Cadent Gas, available online via the South Kesteven website. These comments outline their requirements, which amongst others, requires the developer to contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works, due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area.



# Location Plan



Block Plan



# Swimming Pool Plan

