



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

9 January 2025



S24/1414

Proposal	Retrospective application for single storey rear extension
Location	30 Arnold Avenue, Grantham, Lincolnshire, NG31 8HN
Applicant	Mr & Mrs Shane Smillie
Agent	Mr Michael Ellison
Reason for Referral to Committee	At the request of Cllr Paul Martin for the following reason: Impact on neighbouring amenities
Key Issues	Impact on Highways Impact on neighbouring amenities

Report Author

Letitia Barrowcliff – Assistant Development Management Planner



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Grantham Arnoldfield

Reviewed by:

Phil Jordan, Development Management & Enforcement Manager

30 December 2024

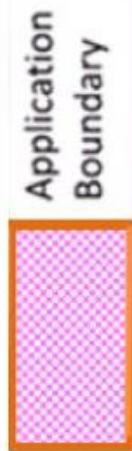
Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

S24/1414 - 30 Arnold Avenue, Grantham, Lincolnshire, NG31 8HN



Key



Application
Boundary



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1 Description of Site

- 1.1 The existing property is a semi-detached two storey dwelling, situated on a corner plot of Lynden Way and Arnold Avenue, Grantham
- 1.2 The application site is surrounded by dwellings of varying scales and designs.

2 Description of the proposals

- 2.1 This is a retrospective application for the erection of a single storey rear extension.
- 2.2 The proposed materials would be natural timber frame with dark brown mesh infill panels for the walls and twin wall clear polycarbonate for the roof.
- 2.3 The proposed rear extension would measure 5.450m in depth; 1.665m in width and 2.700m in height at the highest point due to sloping topography.
- 2.4 The extension is used as a 'catio', which provides an enclosure for pet cats.

3 Planning Policies and Documents

3.1 South Kesteven Local Plan 2011-2036 (Adopted January 2020)

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy DE1 – Promoting Good Quality Design

3.2 Design Guidelines Supplementary Planning Document (Adopted November 2021)

3.3 National Planning Policy Framework (Published December 2024)

Section 9 – Promoting Sustainable Transport
Section 12 - Achieving well-designed and beautiful places

4 Representations Received

4.1 Grantham Town Council

- 4.1.1 Raise concern regarding potential to close in structure and create a large extension and that the structure exceeds permitted development rights.

4.2 Lincolnshire County Council (Highways and SuDS)

- 4.2.1 No Objections
- 4.2.2 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

5 Representations received as a result of publicity

- 5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and nine letters of representation have been received.
- 5.2 The points raised can be summarised as follows:

2x Objections:

1. Height of the extension
2. Lack of sunlight
3. Proximity to the boundary
4. Insufficient access and lack of maintenance to the boundary fence
5. Impact on health including odours and noise
6. Drainage and flooding
7. Harm to privacy
8. Potential fire hazard
9. Application is retrospective
10. Unsightly and obstructive from neighbouring amenity space and street scene

7x Support:

1. Not visually offensive
2. No noise nuisance
3. No increase of pests/vermin
4. Well maintained

6 Evaluation

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority (LPA) makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan comprises of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020); and

6.2 The Local Planning Authority also have an adopted Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

6.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2024) are also a relevant material consideration in the determination of planning applications.

6.4 Principle of Development

6.4.1 The proposal relates to the retrospective single storey rear extension used to accommodate pet cats. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Principles of Sustainable Development in South Kesteven) 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, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

6.5 **Impact on the character and appearance of the area**

- 6.5.1 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.
- 6.5.2 The proposed retrospective single storey rear extension would be attached to an existing single storey rear projection. The proposal would be subordinate to the existing dwelling, modest in scale and would only be partially visible from the street scene on Arnold Avenue. The materials proposed would be sympathetic to the existing dwelling and street scene therefore, there would be no unacceptable adverse impact caused to the character and appearance of the area.
- 6.5.3 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 in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

6.6 **Impact on neighbourhood amenity**

- 6.6.1 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 135 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.
- 6.6.2 The proposal would be subordinate to the existing dwelling, modest in scale, and due to existing screening by boundary treatments, there would be no unacceptable adverse impact to the neighbouring amenities by means of overbearing and overshadowing.
- 6.6.3 The proposal would be situated close to the shared neighbouring boundary with 2 Lynden Avenue and the Catio would be raised due to the sloping topography of the residential amenity space. It has been accepted there is an increased opportunity for overlooking however, due to the nature of the proposal being a Catio it is unlikely the occupiers would be stood adjacent the shared boundary for a significant amount of time and would be for a limited duration. In turn, the level of overlooking would not be severe to cause harm and therefore would not warrant refusal.
- 6.6.4 Furthermore, objections in relation to unacceptable level of noise caused by the development and its nature has been assessed and the development would not give rise to an unacceptable level of noise which would cause unacceptable adverse impact to neighbours residential amenities.

6.6.5 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.

6.7 **Impact on Highways**

6.7.1 Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

6.7.2 The proposal does not have an impact on the Public Highway and as the Lead Local Flood Authority, they have made no objections.

6.7.3 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.

6.8 **Other Matters**

6.8.1 Whilst noting objections made in regard to the insufficient access and lack of maintenance to the shared boundary fence would be a civil matter and not a planning consideration.

6.8.2 Should the use of the extension intensify or not be managed to an extent which caused a noise or odour nuisance, then these impacts could be appropriately controlled through environmental legislation.

6.8.3 Additionally, the objection in regard to the development being a potential fire hazard has been assessed and the materials of the development would not be dissimilar to those used in standard residential outbuildings/structures and therefore would not be considered to result in an abnormal level of fire risk.

7 **Crime and Disorder**

7.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

8 **Human Rights Implications**

8.1 Article 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. It is concluded that no relevant Article of that Act will be breach in making this decision.

9 **Planning Balance and Conclusion**

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

9.2 The application proposals involve a domestic extension, which is acceptable in principle, in accordance with Policy SD1 of the adopted Local Plan, subject to material considerations.

9.3 The proposed extension is not considered to result in any unacceptable impacts on the character and appearance of the area or on the amenities of neighbouring occupiers. Should the use of the extension intensify or not be managed to an extent which caused a nuisance, then these impacts could be appropriately controlled through environmental legislation.

9.4 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policy DE1 of the South

Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

10 Recommendation

- 10.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Approved Plans

- 1) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - a. Site Location Plan- Drawing number: 208.P01- Date received: 15.08.2024
 - b. Site Plan- Drawing number: 208.P02- Date received: 15.08.2024
 - c. Proposed Floor Plan- Drawing number: 208.P03- Date received: 15.08.2024
 - d. Side Elevation Plan- Drawing number: 208.P04- Date received: 15.08.2024
 - e. Rear Elevation Plan- Drawing number: 208.P05- Date received: 15.08.2024

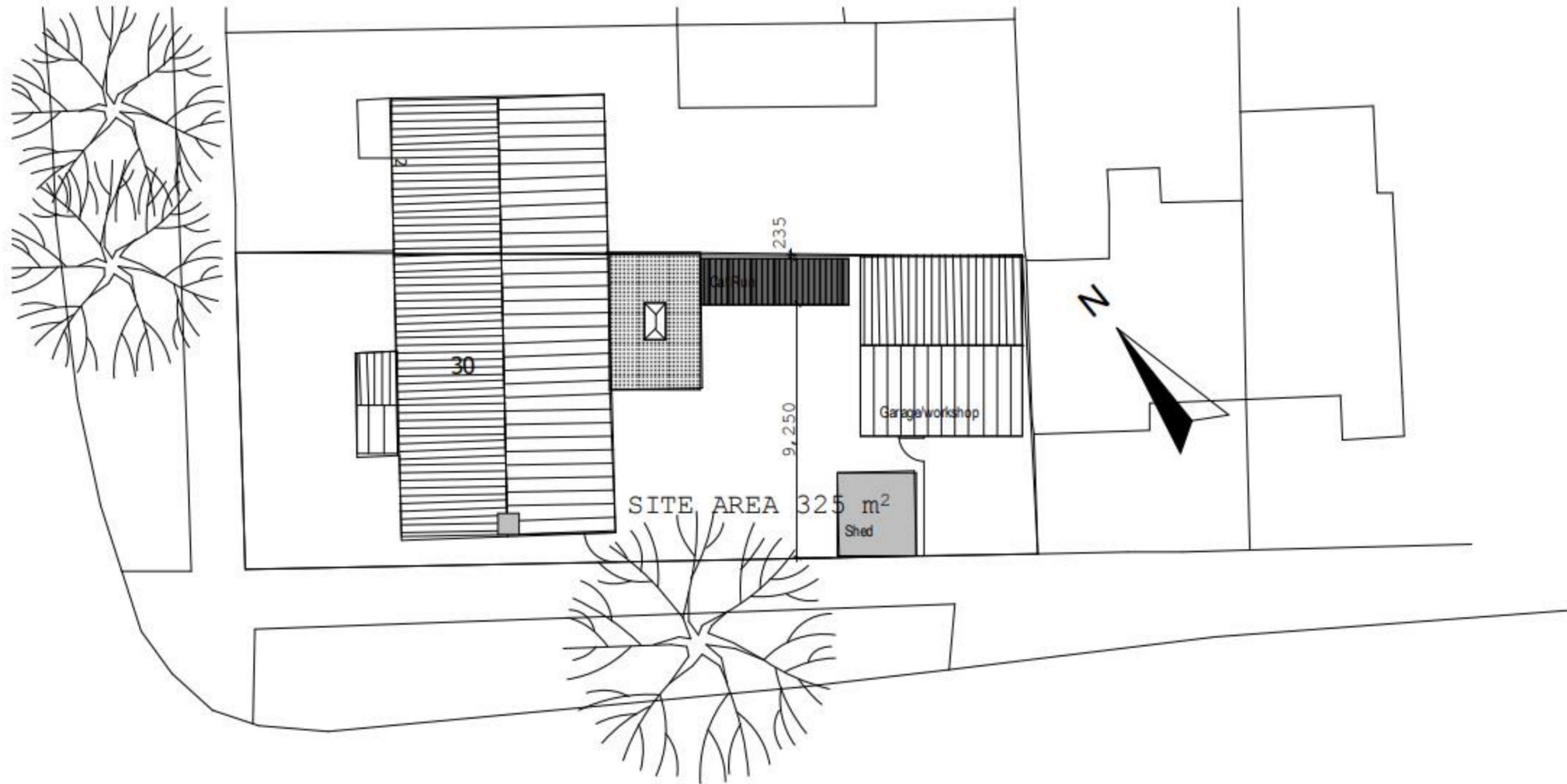
Unless otherwise required by another condition of this permission.

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

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.

Site Plan



NOTES

1. To be used for noted status ONLY & no other purpose. 2 Do not scale from drawing. 3 Inform Architect immediately if discrepancies are noticed

DRAWING STATUS PLANNING

Mr & Mrs S Smillie 30 Arnold Avenue, Grantham, NG31 8HN

Retrospective planning application for "Extension", 30 Arnold Avenue Grantham, NG31 8HN

SITE PLAN

Scale printed @ A4 1:200

Date 09/08/2024

Dwg No **208.P02**

MICHAEL ELLISON Chartered Architect

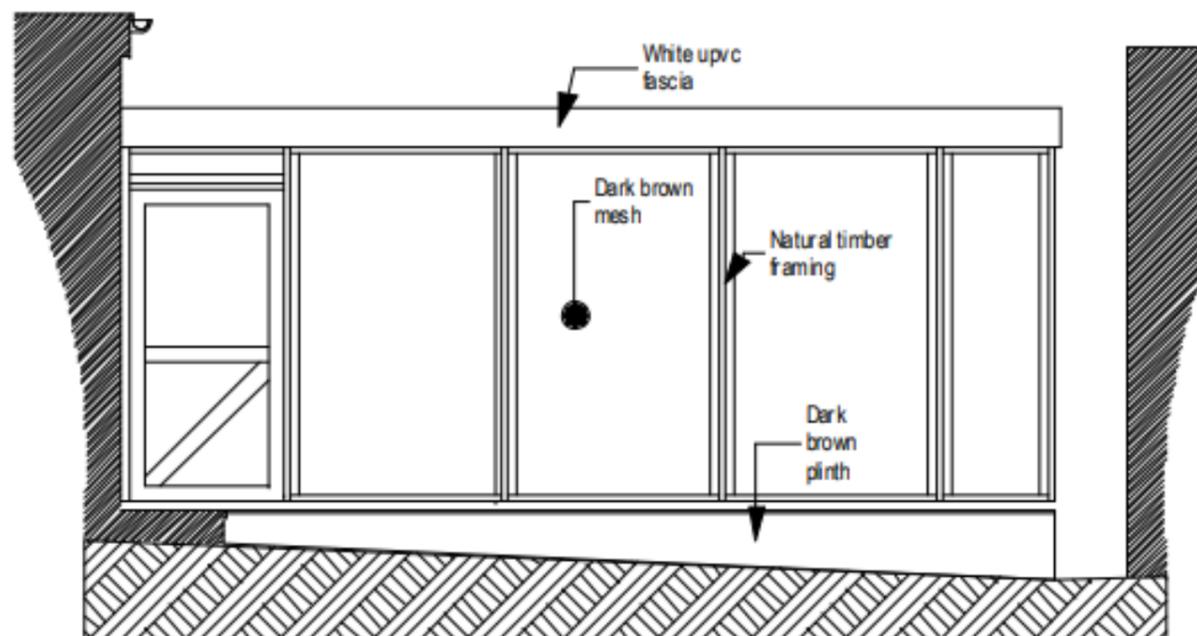
Beacon Hillside, Beacon Lane, Grantham, Lincs, NG31 9DQ

Tel 01476 560 569 E-mail archtmge@hotmail.co.uk

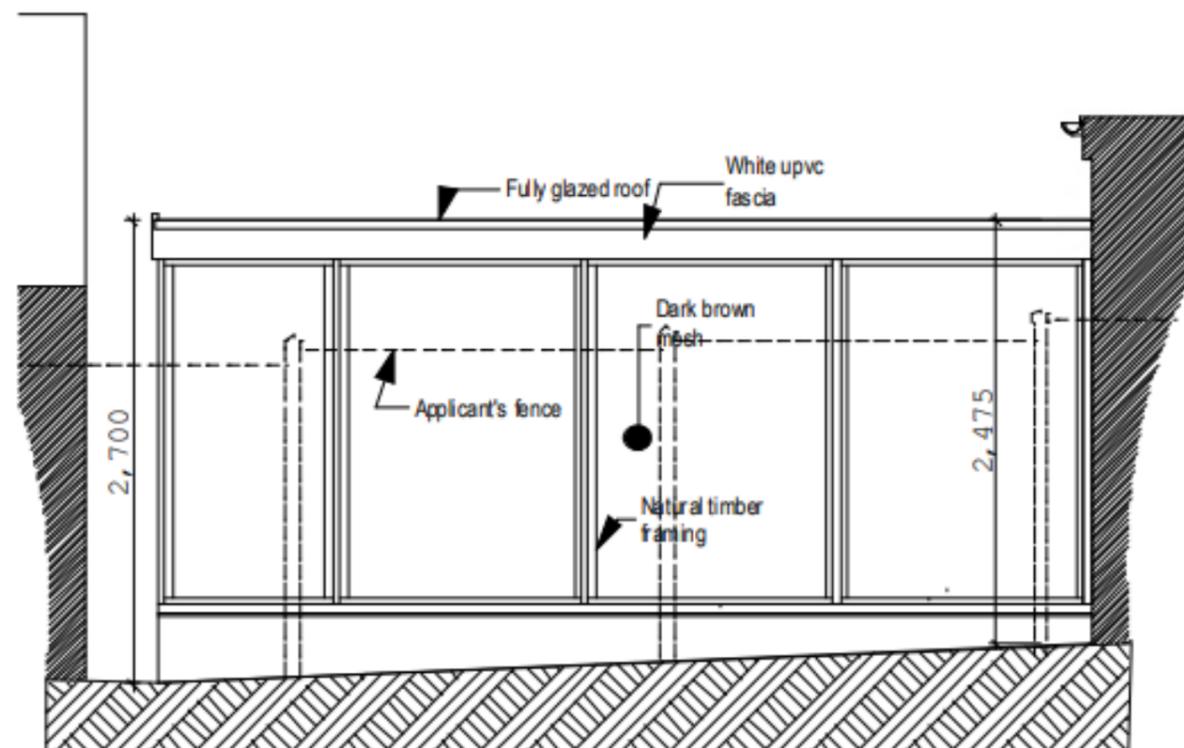


NOTE: Subject to topographical survey, legal constraints, planning & Building Regulation approval

Elevation Plans



SOUTH WEST



NORTH EAST

NOTES

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Mr & Mrs S Smillie 30 Arnold Avenue, Grantham, NG31 8HN

Retrospective planning application for "Extension", 30 Arnold Avenue Grantham, NG31 8HN

ELEVATIONS Sht 1 as built

Scale printed @ A4 1:50

Date 09/08/2024

Dwg No 208.P04

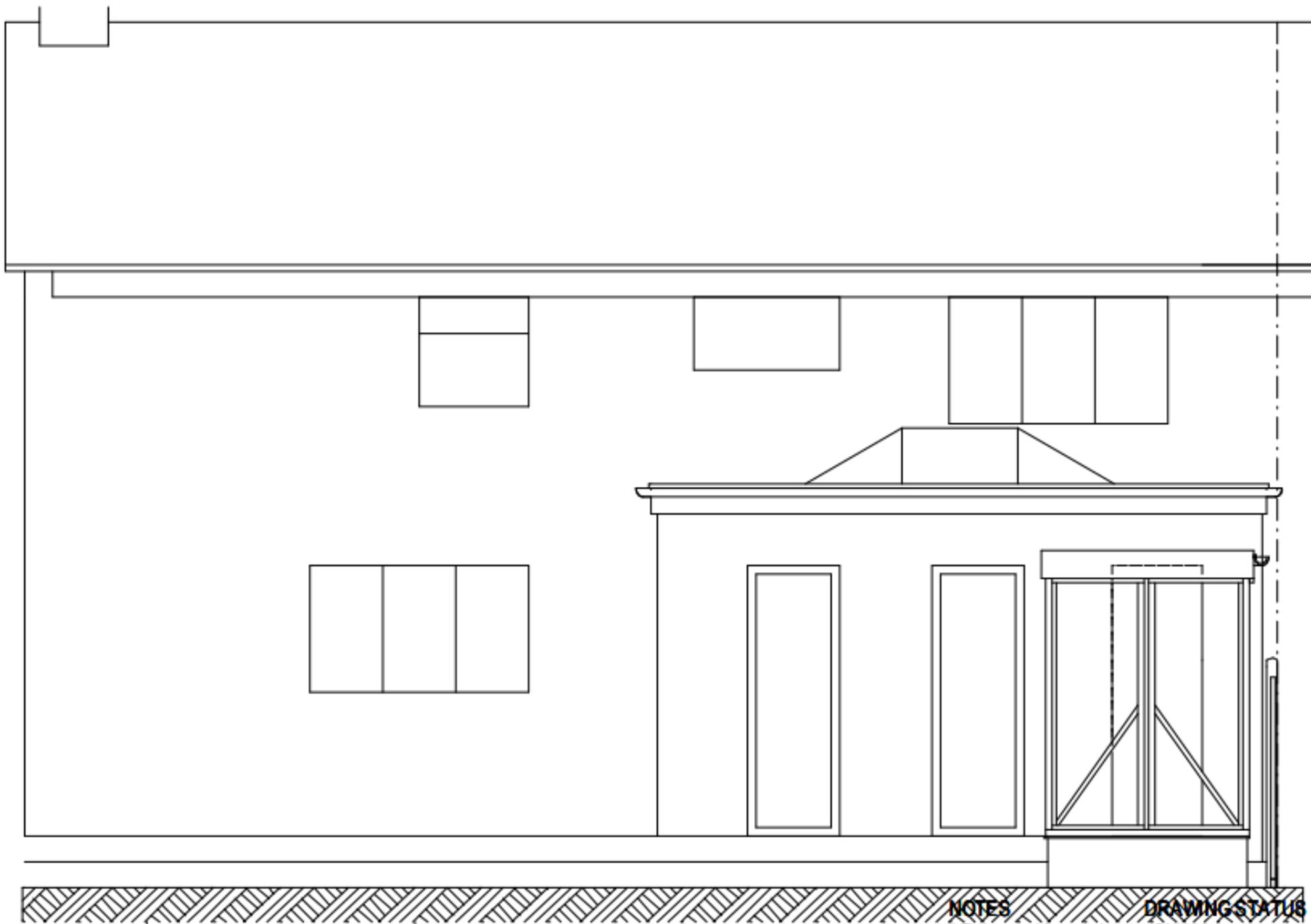
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DRAWING STATUS

PLANNING

Mr & Mrs S Smillie 30 Arnold Avenue, Grantham, NG31 8HN
Retrospective planning application for "Extension", 30 Arnold Avenue Grantham, NG31 8HN
SOUTH EAST ELEVATION as built

Scale printed @ A4 1:50

Date 09/08/2024

Dwg No **208.P05**

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