



Appeal Decision

Site visit made on 2 January 2024

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2024

Appeal Ref: APP/E2530/W/23/3325800

137 Manthorpe Road, Grantham, Lincolnshire NG31 8DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Gray against the decision of South Kesteven District Council.
 - The application Ref S23/0638, dated 30 March 2023, was refused by notice dated 13 June 2023.
 - The development proposed is demolition of existing garage and erection of 1.5 storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was submitted, a revised version of the National Planning Policy Framework (the Framework) has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal.

Main Issues

3. The main issues are the effect of the proposed dwelling on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the occupants of 139 Manthorpe Road, with particular reference to outlook.

Reasons

Character and Appearance

4. The appeal site comprises part of the rear garden of No 137. No 137 is a two-storey semi-detached dwelling with a large driveway to the front and deep garden to the rear. The appeal site includes a detached garage and area of hardstanding with an access point from Sandcliffe Road. The site is enclosed by solid timber fencing, set on top of a low wall, and solid timber gates. On my site visit there was a fence separating the appeal site from the rear garden of No 137.
5. Adjacent to the site is an electricity substation, with a paved area to the front, and the rear gardens of the neighbouring properties. The dwelling would also be seen in the context of dwellings along Sandcliffe Road as well as dwellings on Manthorpe Road, Highcliffe Road and Rushcliffe Road. Dwellings along these

roads, and within the local area, vary in terms of their design, scale and form. Nonetheless, the surrounding area is primarily characterised by two-storey detached and semi-detached dwellings (albeit there are bungalows nearby) set within reasonably sized plots with the main garden area to the rear and set back from the highway.

6. Opposite the appeal site is 1a Sandcliffe Road which is a two-storey dwelling erected in part of the rear garden of 133 Manthorpe Road. This dwelling integrates successfully with the character and appearance of the area due to its scale, form, and design. There are also examples of outbuildings in the locality.
7. The proposed dwelling has been designed to read as an outbuilding structure to No 137, and to complement the host dwelling with matching materials. The north east and north west elevations would be adjacent to the common boundary and a small garden area would be towards the side of the dwelling. The scheme before me would be seen as a dwelling rather than an outbuilding because it would have a separate garden, and parking area and due to the siting and design of the building.
8. The proposed plot would be noticeably smaller than nearby plots. As a result of the scale, form, siting (with limited gaps around the dwelling) and design of the 1.5 storey dwelling (which includes a large number of rooflights), the proposed dwelling would appear cramped within the plot and an incongruous addition. This is because it would fail to be in keeping with the character and appearance of the surrounding area, and would fail to complement the existing built form.
9. For these reasons, the proposed dwelling would cause harm to the character and appearance of the surrounding area. Accordingly, the proposal would conflict with Policies SP2, SP3 and DE1 of the South Kesteven District Council Local Plan 2011 – 2036 (2020) (LP). These seek, amongst other things, to promote high quality design and ensure development is in keeping with the character of the area. It would also conflict with chapter 12 of the Framework which seeks to achieve well-designed and beautiful places, and ensure developments are sympathetic to local character.

Living Conditions

10. Due to the constrained nature of the site, the proposed dwelling would be adjacent to the common boundary shared with No 139. The dwelling would be notably higher than the existing fence and garage. The proposed dwelling would be visible from No 139's rear elevation windows and garden. No 139 benefits from a large garden. Considering the size of No 139's garden, the proposed dwelling's roof design and height, separation distances and existing site arrangements, the development would not appear overly dominant or bulky, or have an overbearing effect, when viewed from No 139's windows or garden.
11. For these reasons, the proposed dwelling would not have an unacceptable effect on the living conditions of the occupants of No 139, with particular reference to outlook. Accordingly, in this regard, the proposal would comply with Policies SP3 and DE1 of the LP. These seek, amongst other things, to ensure development does not cause harm or have an unacceptable impact upon the occupiers amenity of adjacent properties. In this regard, it would also comply with chapter 12 of the Framework which states developments should create places with a high standard of amenity for existing and future users.

12. In relation to this main issue, my attention has been drawn to an appeal decision¹. Limited information has been provided regarding that appeal, so I am unable to make a robust comparison. In any case, the context of the sites differs, and I have considered the appeal proposal on the basis of the evidence before me. The highlighted decision does not alter my findings above.

Other Matters

13. The appellant highlights that Class E permitted development rights would enable the construction of a substantially larger domestic building. They also assert that occupiers of the dwelling would enjoy an acceptable standard of amenity, there would be adequate parking for the proposed dwelling and No 137, and there would be no adverse highway impacts. Furthermore, the appellant sets out that the development would comply with the provisions of the LP and highlight that there have been no objections from No 137. The other matters raised do not outweigh the harm I have found above.

Conclusion

14. Although I have found that the proposed development would not have an unacceptable effect on the living conditions of the occupiers of No 139, it would have a harmful effect upon the character and appearance of the surrounding area to which I attach significant weight.
15. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR

¹ APP/E2530/A/07/2051090