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**F/YR20/0603/F**

**Applicant: Mr A Henson**

**Agent : Mr Papworth  
Morton & Hall Consulting Ltd**

**Land West Of 44 Robingoodfellows Lane Fronting, Norwalde Street, March,  
Cambridgeshire**

**Erect 1 dwelling (2 storey 3-bed)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations contrary to Officer  
recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks full planning permission for a detached 2-storey, 3-bed dwelling.
- 1.2 This is the third submission on this site. Application F/YR18/0017/F was withdrawn following advice to the applicant's agent that the application would be refused. Application F/YR18/0389/F was refused due to the significant detrimental impact on the character of the area and residential amenity in relation to loss of privacy and a dominant and overbearing impact on neighbouring dwellings.
- 1.3 Whilst the proposal has been designed to reflect the local vernacular, it introduces a larger detached property, at odds with the terrace form of development and forward of the established building line. It would punctuate the presently unrestricted view along the street and is therefore not considered to respect the character and form of the locality, forming an incongruous feature to the significant detriment of the streetscene and character of the area.
- 1.4 Whilst overlooking is no longer considered to be an issue, the proposed dwelling is located alongside the garden of No.42 at between 1.2m and 2.8m from the shared boundary, whilst it is noted that the neighbouring property does have a large garden, a 2-storey dwelling of 10.5m in length and 7m in height in such close proximity to the boundary is considered to create a dominant and overbearing impact.
- 1.5 The proposal is contrary to Policies LP2 and LP16(d, e and h) of the Fenland Local Plan 2014, DM3 of Delivering and Protecting High Quality Environments SPD 2014, Policy H2 of the March Neighbourhood Plan 2017, Paragraph 127 of the NPPF 2019 and chapters C1, I1, I2 and B2 of the National Design Guide 2019. As such it is recommended to refuse the application.

## **2 SITE DESCRIPTION**

- 2.1 The application site forms garden land serving 44 Robingoodfellows Lane, March. The host property is an end terrace 2-storey dwelling finished in pebbledash with brick detailing (the front elevation is painted cream, the remainder having a natural finish) and tiled hipped roof, there is a single-storey element to the rear with a brick finish. To the front of the site is a gravel parking area with low level close boarded fence. The property is on a corner plot at the junction with Norwalde Street.

### **3 PROPOSAL**

- 3.1 The application seeks full planning permission for a detached 2-storey, 3-bed dwelling measuring 10.5m x 5.4m and 7.15m in height. The ground floor consists of a living room, hallway, kitchen/diner and WC and first-floor 3 bedrooms, en-suite and bathroom.
- 3.2 Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QD79L2HE03000>

### **4 SITE PLANNING HISTORY**

F/YR18/0389/F	Erection of a 2-storey 3-bed dwelling	Refused 18/6/2018
F/YR18/0017/F	Erection of a 2-storey 3-bed dwelling	Withdrawn

### **5 CONSULTATIONS**

#### **5.1 Town Council**

*Recommend approval.*

#### **5.2 Environmental Health (FDC)**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality, noise climate or unlikely to be affected by ground contamination.*

#### **5.3 Local Residents/Interested Parties**

Nine supporting comments have been received (one from a resident of each of the following: Robingoodfellows Lane, Upwell Road, Mill Hill Lane, Norwalde Street, Dragoon Drive, Elwyn Road, Henson Road and Boundary Drive all in March and Scholars Close, Manea), in relation to the following:

- Sympathetic to/in keeping with surrounding properties
- Overlooking kept to minimum
- Sufficient parking
- Sustainable location
- Employ local business/tradesman
- Affordable housing
- Housing need

One objection has been received (from a resident of Robingoodfellows Lane), in relation to the following:

- The proposal is close to the boundary, closer than the previous applications
- Dominant and overbearing

- Not in keeping with the area.

The comments, where they relate to planning matters will be considered in the sections below.

It should be noted that the proposal is not for affordable housing and there is no guarantee that local businesses would be employed in the construction should the application be successful

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF)**

### **National Planning Practice Guidance (NPPG)**

#### **National Design Guide 2019**

Context – C1

Identity – I1, I2

Built Form – B2

Movement – M3

Homes and Buildings – H2, H3

#### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP9 – March

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

#### **Delivering and Protecting High Quality Environments in Fenland SPD 2014:**

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the area

#### **March Neighbourhood Plan 2017**

H2 – Windfall Development

H3 – Local Housing Need

## **8 KEY ISSUES**

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk**

## **9 BACKGROUND**

- 9.1 This is the third submission on this site. Application F/YR18/0017/F was withdrawn following advice to the applicant's agent that the application would be refused. Application F/YR18/0389/F was refused due to the significant detrimental impact on the character of the area and residential amenity in relation to loss of privacy and a dominant and overbearing impact on neighbouring dwellings.
- 9.2 The emphasis on creating high quality and well-designed buildings and places that respond positively to the surrounding context has been strengthened further since the refusal of the previous application, by the publication of the National Design Guide in September 2019.
- 9.3 Some minor amendments have been made to the scheme to mitigate overlooking, however all other issues remain and in fact the dwelling is now slightly closer to the boundary with 42 Robingoodfellows Lane. The site has been made slightly larger during the course of the application to accommodate parking requirements and a pedestrian visibility splay.
- 9.4 It should be noted one letter of objection has been received on all previous applications, however the previous two submissions received no supporting comments.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The application site is located within the settlement of March which is identified within the Settlement Hierarchy as a Primary Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways and flood risk.

### **Design considerations and visual amenity of area**

- 10.2 The proposal has been designed to reflect the local vernacular, featuring a hipped roof and render finish with brick detailing, chimney and similar fenestration.
- 10.3 Nevertheless, this is within in an estate of modest terraced properties set back from the road with long narrow gardens and a strong established building line; the same is true of the wider surrounding area. The host dwelling is situated on a prominent plot at the entrance to the estate and mirroring 46 Robingoodfellows Lane the opposite side of the Norwalde Street entrance, both with gardens alongside the road, set away from the junction and following the building line of both Robingoodfellows Lane and Norwalde Street.
- 10.4 The proposal would introduce a larger detached property, at odds with the terrace form of development and forward of the established building line by approximately 3.4m, this would punctuate the presently unrestricted view along the street. It is therefore not considered to respect the character and form of the locality, forming an incongruous feature to the significant detriment of the streetscene and character of the area.

- 10.5 The proposal is therefore considered contrary to Policies LP2 and LP16(d) of the Fenland Local Plan 2014, DM3 of Delivering and Protecting High Quality Environments SPD 2014, Paragraph 127 of the NPPF 2019 and chapters C1, 11, 12 and B2 of the National Design Guide 2019.

### **Residential Amenity/Health and wellbeing**

- 10.6 To the front of the site on the opposite side of the road is the end terrace property of 46 Robingoodfellows Lane, the rear garden of which is 12m away from the proposed dwelling. There is a 1.8m high close boarded fence surrounding the rear garden, hence the ground floor windows are not considered to result in a loss of privacy, however there are 3 first-floor windows facing towards this property, 2 serve bedrooms, and the third is a bathroom window and would therefore be obscure glazed. Whilst there would be additional overlooking as a result of the proposed development this is not considered to create a significant adverse impact due to the separation distance.
- 10.7 To the north west of the site, on the opposite side of the road, is the end terraced property of 1 Norwalde Street, whilst the proposal would be visible from this dwelling the only detrimental impact that could be considered would be the additional overlooking from the first-floor side and front bedroom windows, however this view would be oblique and only impact the area to the front already visible from the public realm, hence would not be considered significant.
- 10.8 To the west of the site is the end terraced property of 28 Norwalde Street which is separated from the site by an existing access and gravel parking area before the dwelling itself is reached, hence the proposal is approximately 10m from this neighbouring dwelling (building to building). There is a first-floor bedroom window in the side of the proposed dwelling that faces towards No.28, however the positioning of the dwellings are such that this would most impact the frontage of the site that is already visible from the public realm and the parking to the side. There are no windows on the side elevation of No.28 which could be affected, hence whilst there would be some loss of privacy and overlooking as a result of the proposal this is not considered to be significant. Due to the distance between properties loss of outlook, light and overshadowing are not considered to be an issue.
- 10.9 To the rear (south) of the site is the mid terraced property of 42 Robingoodfellows Lane, which is considered to be most impacted by the proposed development. The proposed dwelling is long and narrow, running alongside the garden of No.42 at between 1.2m and 2.8m from the shared boundary, whilst it is noted that the neighbouring property does have a large garden a 2-storey dwelling of 10.5m in length and 7m in height in such close proximity to the boundary is considered to create a visually dominant and overbearing impact. In respect of overlooking/loss of privacy the proposal has been designed with the only first-floor windows to the rear being landing and en-suite windows, which are indicated as being obscure glazed and could be conditioned as such. Overshadowing is not considered to be a significant issue due to the orientation of the proposal to the north.
- 10.10 To the east of the site is the host dwelling of 44 Robingoodfellows Lane, which will lose an area of garden as a result of the development, nevertheless due to the large plot would still retain in excess of a third of the plot for private amenity space. There may be some additional overshadowing and loss of light however this is not considered to be significant due to the orientation and distance. The proposed dwelling has been amended to ensure that there are no windows directly facing No.44, hence overlooking is not considered to be an issue.

- 10.11 Policy LP16 (h) requires a minimum of a third of the plot to be provided for private amenity space, which is now achieved as the site has been made larger. However, only a narrow strip of garden is provided to the rear of the dwelling, with a maximum depth of 2.8m. This is not considered to be usable space or provide a high quality environment, as such the scheme is considered to be contrary to this policy.
- 10.12 The proposal is considered contrary to Policies LP2 and LP16(e and h) of the Fenland Local Plan 2014, Policy H2 of the March Neighbourhood Plan 2017 and Paragraph 127 of the NPPF 2019.

### **Parking and Highways**

- 10.13 Policy LP15 and Appendix A of the Fenland Local Plan advise that 2 parking spaces should be provided for a 3-bed property such as the proposal. Parking spaces have been provided to the required dimensions (2.9m x 5m as there are obstructions both sides), a bound material is proposed (block paving) and pedestrian visibility is achieved .
- 10.14 The proposed access is off an unclassified road and would be subject to the relevant Highway Authority consent to ensure suitability.

### **Flood Risk**

- 10.15 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

## **11 CONCLUSIONS**

The proposal is overall considered unacceptable due to its failure to accord with Policies LP2 and LP16(d, e and h) of the Fenland Local Plan 2014, DM3 of Delivering and Protecting High Quality Environments SPD 2014, Policy H2 of the March Neighbourhood Plan 2017, Paragraph 127 of the NPPF 2019 and chapters C1, I1, I2 and B2 of the National Design Guide 2019.

The proposal is considered to create a significant detrimental impact on the streetscene and character of the area, as it introduces a larger detached property, at odds with the terrace form of development and forward of the established building line. It would punctuate the presently unrestricted view along the street and is therefore not considered to respect the character and form of the locality.

The proximity of the proposal to the boundary with 42 Robingoodfellows Lane is considered to create a visually dominant and overbearing impact, and would result in a significant adverse impact on the residential amenity of occupants. This proximity also results in only a narrow strip of garden to the rear of the proposed dwelling, which is not considered to be usable space or provide a high quality environment, to the significant detriment of the residential amenity of future occupants.

## **12 RECOMMENDATION**

**Refuse** for the following reasons:

1	<p>Policy LP16(d) of the Fenland Local Plan and DM3 of Delivering and Protecting High Quality Environments SPD 2014, paragraph 127 of the NPPF 2019 and chapters C1, I1, I2 and B2 of the National Design Guide 2019 seek to ensure that new development to makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting and responds to, and improves, the character of the local built environment. The proposal introduces a larger detached property, at odds with the terrace form of development and forward of the strong established building line, which would punctuate the presently unrestricted view along the street; it is therefore not considered to respect the character and form of the locality, forming an incongruous feature to the significant detriment of the streetscene and character of the area and as such the proposal is contrary to the aforementioned policies.</p>
2	<p>Policy LP2 and LP16 (e) and (h) of the Fenland Local Plan 2014, Policy H2 of the March Neighbourhood Plan 2017 and Paragraph 127 of the NPPF 2019 seek to ensure that development does not adversely affect the amenity of neighbouring or future occupiers and provides high quality private amenity space. The proposed development would result in a significant detrimental impact on the residential amenity of the adjoining dwelling as it would create a dominant and overbearing impact, in addition to providing insufficient usable private amenity space for the proposed dwelling; as such the proposal is contrary to the aforementioned policies.</p>



Created on: 18/08/2020

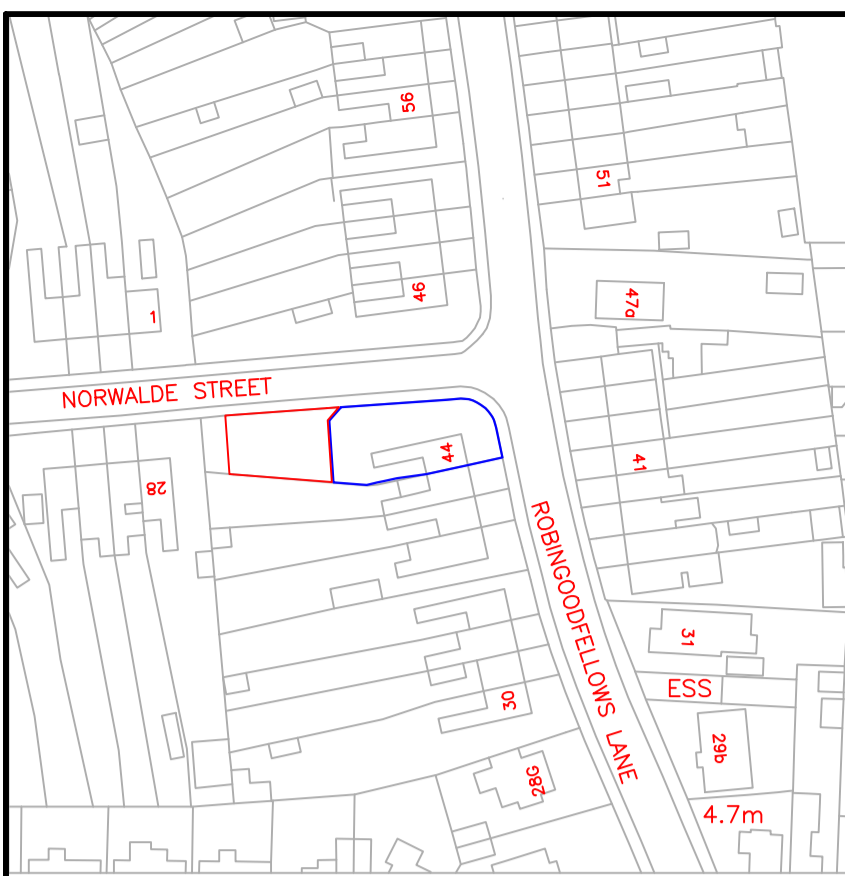
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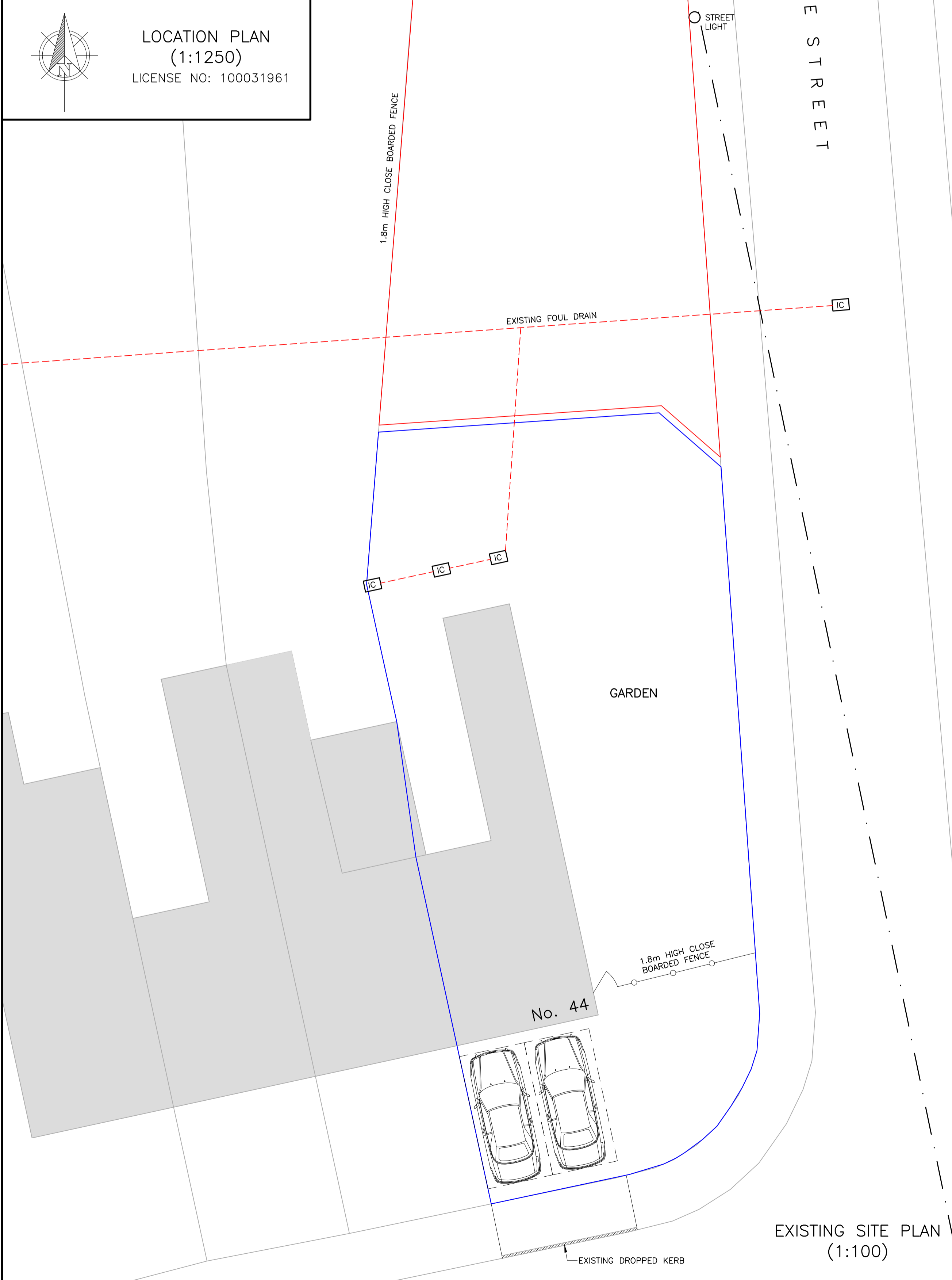
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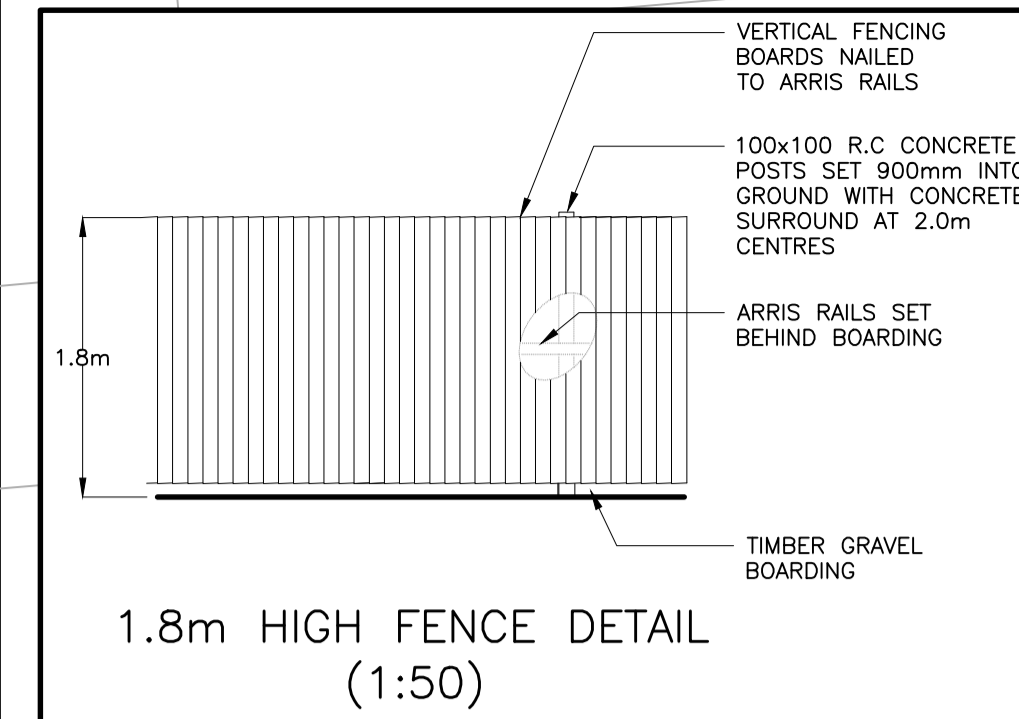




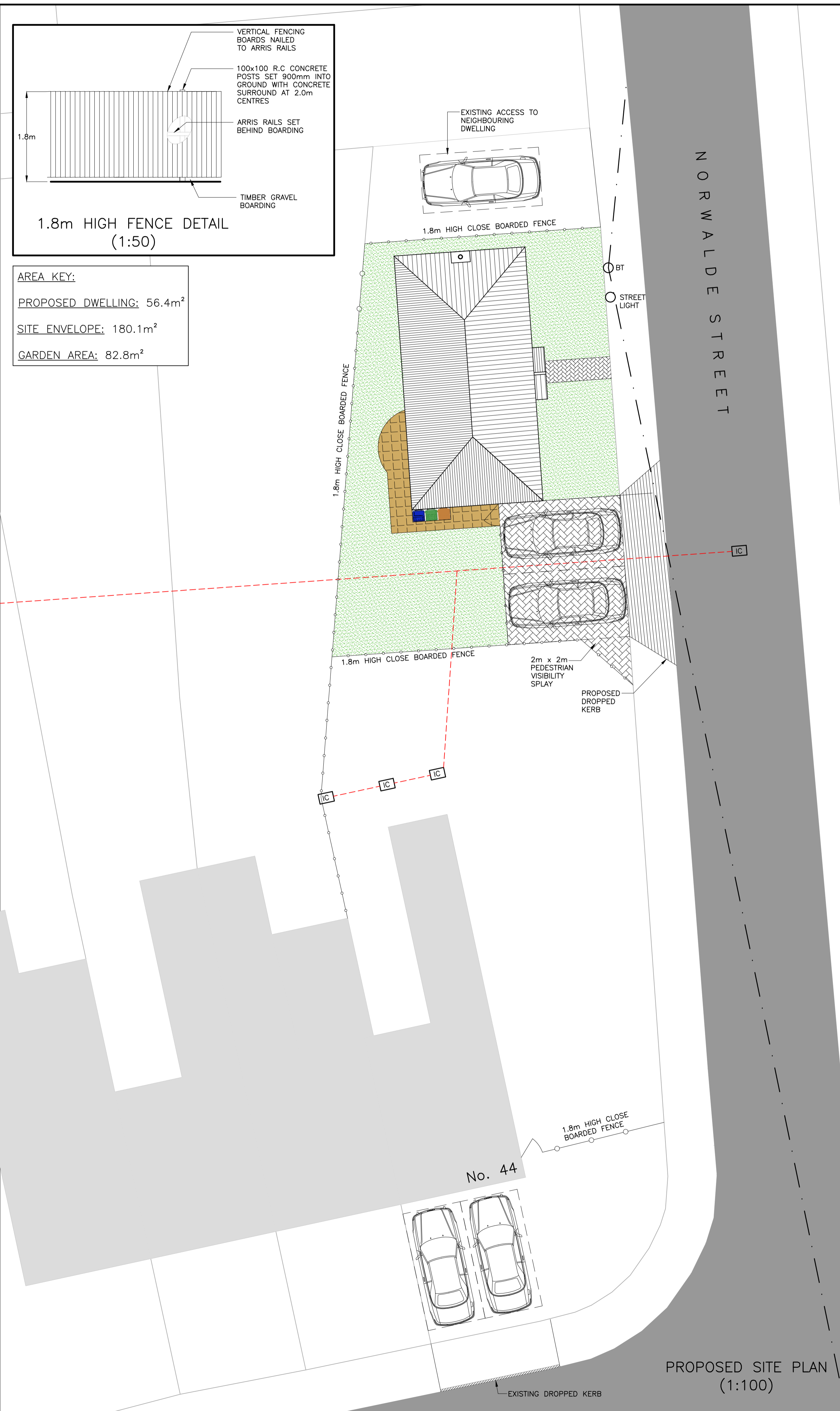
LOCATION PLAN  
(1:1250)  
LICENSE NO: 100031961



EXISTING SITE PLAN  
(1:100)



AREA KEY:  
PROPOSED DWELLING: 56.4m<sup>2</sup>  
SITE ENVELOPE: 180.1m<sup>2</sup>  
GARDEN AREA: 82.8m<sup>2</sup>



PROPOSED SITE PLAN  
(1:100)

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The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer  
All finishes, insulation and damp-proofing to architect's details

**SITE PLAN KEY**

- PERMEABLE BLOCK PAVING (NON SLIP)
- CONCRETE SLABS (NON SLIP)
- GRASS
- VEGETATION
- HEDGING
- GRAVEL
- SITE ENVELOPE
- PAVEMENT
- TARMAC
- EXISTING DWELLINGS
- FOUL DRAINAGE
- SURFACE WATER DRAINAGE
- OVERHEAD POWER CABLE
- WASTE BINS

REVISIONS	DATE
G DRAWING UPDATED	AUG 2020
F DRAWING UPDATED	JUN 2020
E PLANNERS COMMENTS	APR 2018
D SCHEME REVISED	APR 2018
C PLANNERS COMMENTS	JAN 2018
B CLIENTS COMMENTS	DEC 2017
A CLIENTS COMMENTS	DEC 2017

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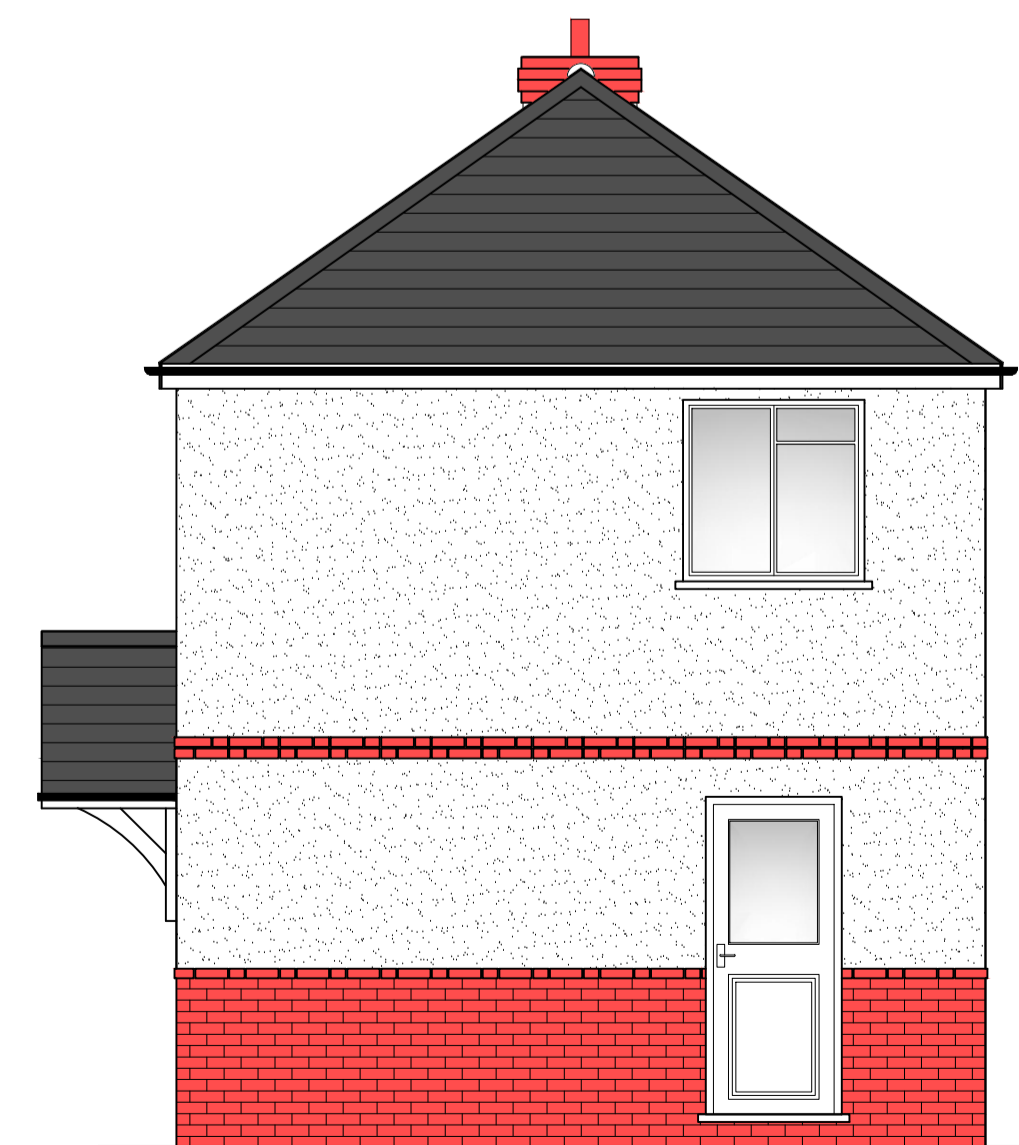
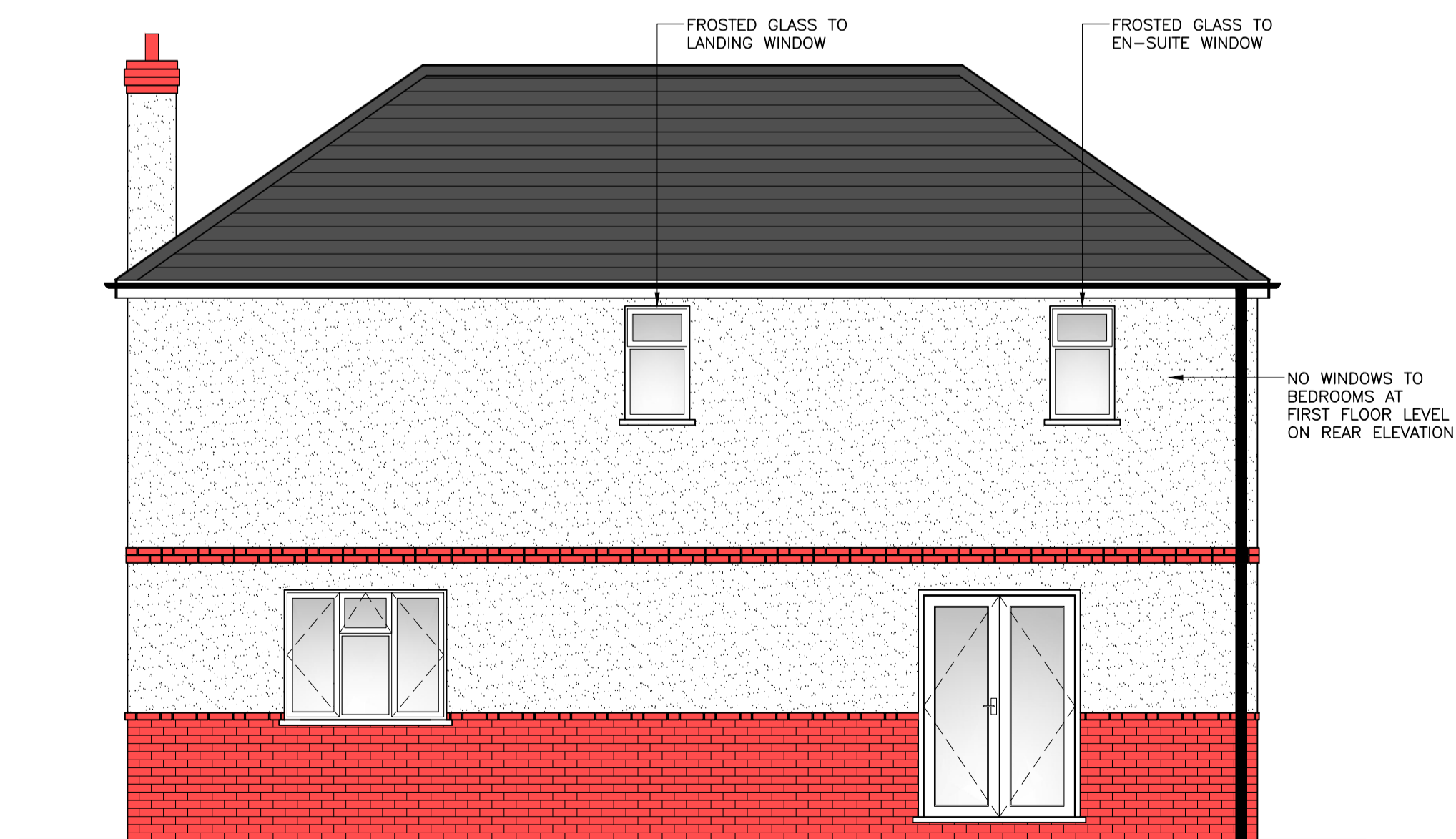
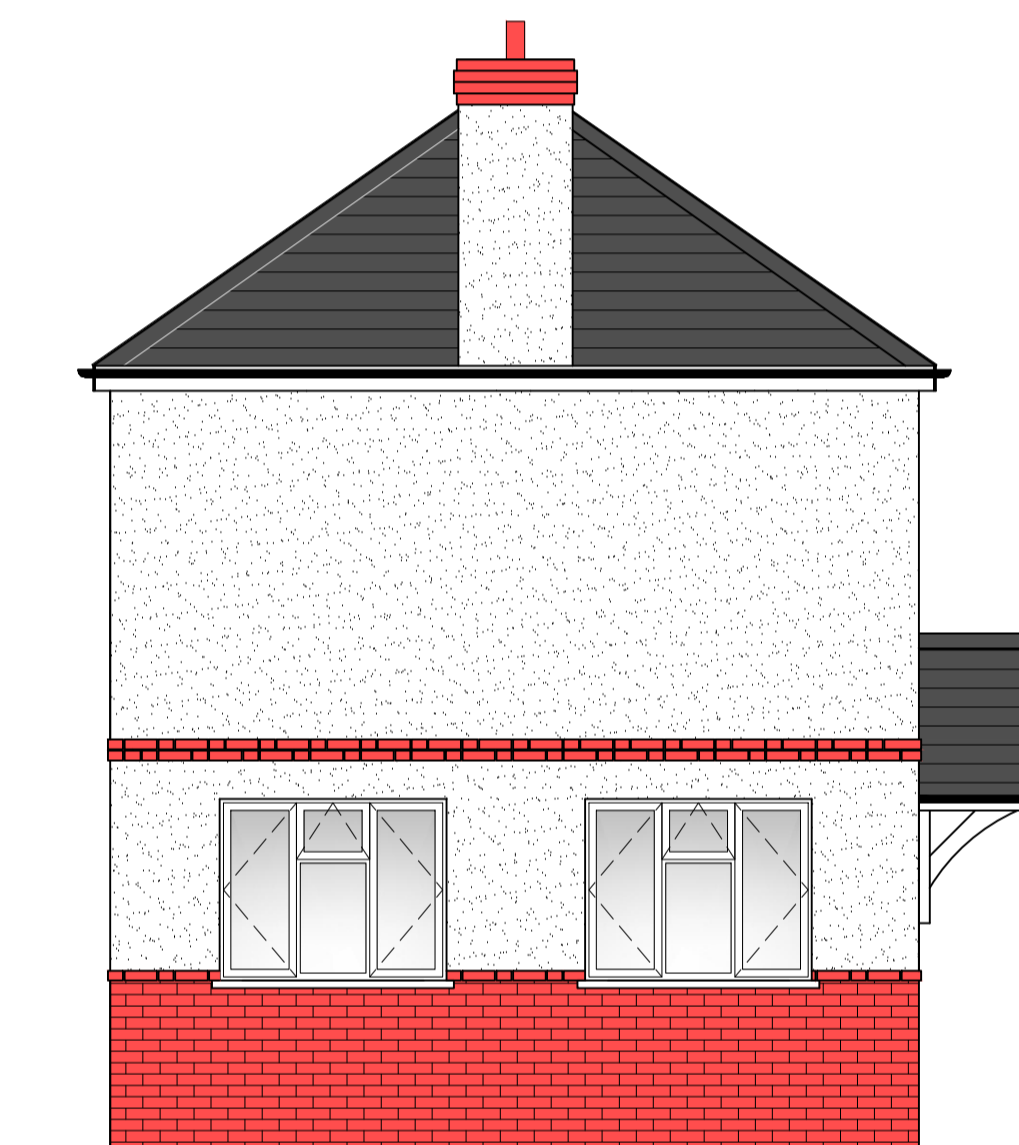
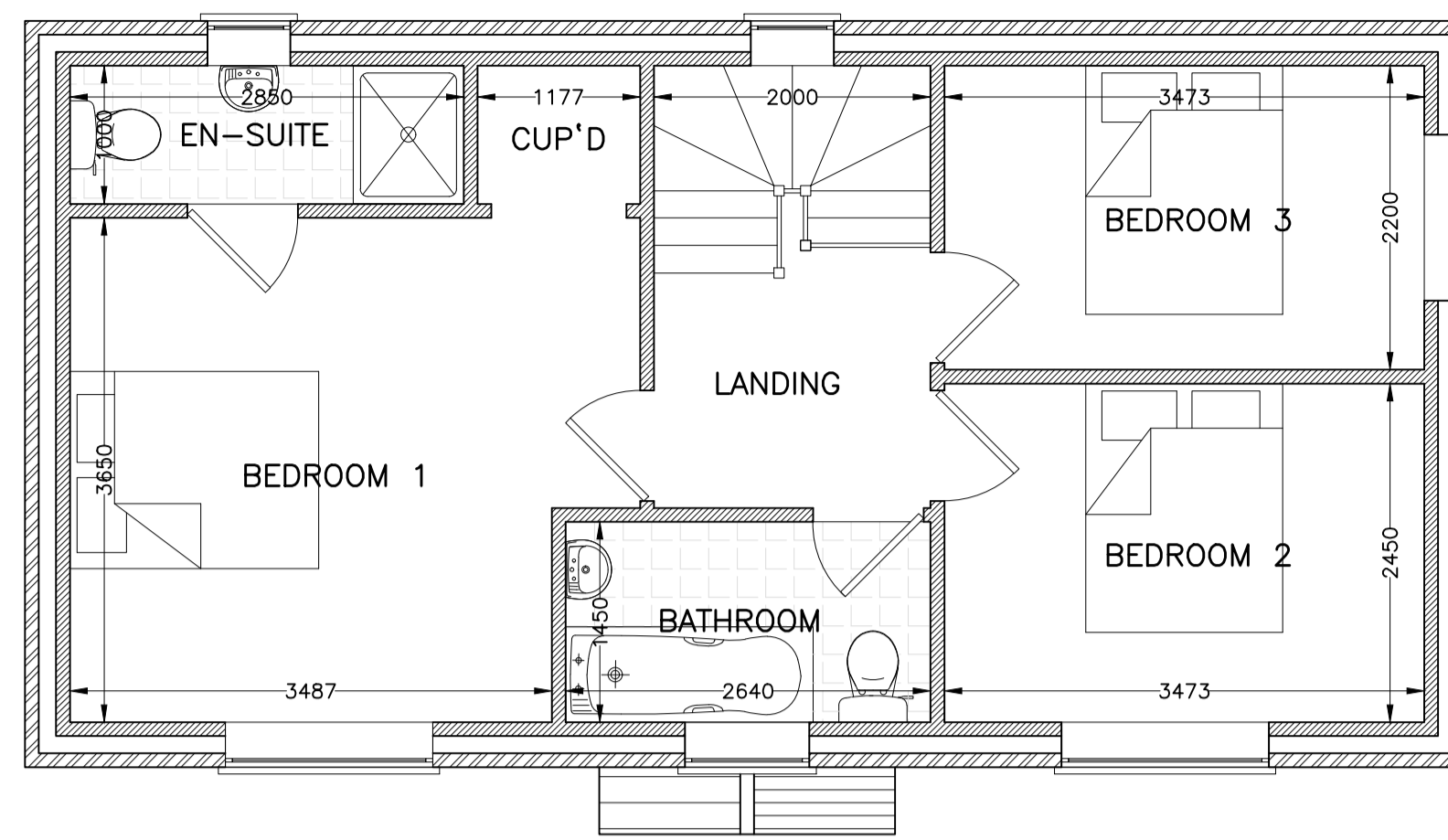
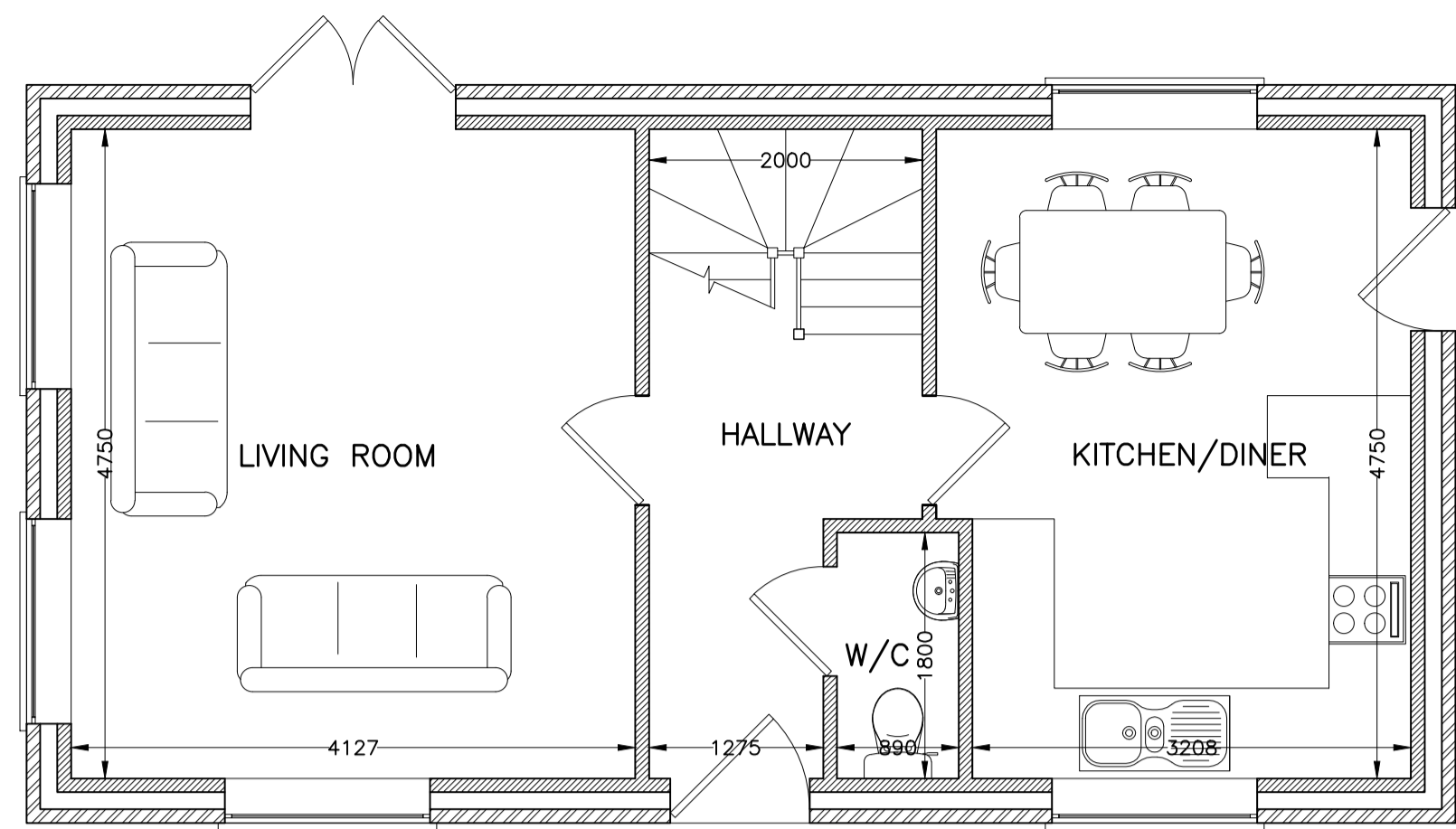
Fenland District Council  
LABC  
Building Design Awards  
winner  
Building Excellence in Fenland

CLIENT: Mr Henson

PROJECT: 44 Robingoodfellows Lane March Cambs PE15 8JB

TITLE: Existing and Proposed Site Layouts

DRAWN: M.Halmshaw	DATE OF ISSUE:
CHECKED:	
DATE: November 2017	DRAWING NUMBER: H5550/01c
SCALE: As Shown	



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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.  
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer  
 All finishes, insulation and damp-proofing to architect's details

REVISIONS	DATE	
H	PLANNERS COMMENTS	JUL 2020
G	CLIENTS COMMENTS	JUN 2020
F	DRAWING UPDATED	JUN 2020
E	PLANNERS COMMENTS	APR 2018
D	SCHEME REVISED	APR 2018
C	PLANNERS COMMENTS	JAN 2018
B	CLIENTS COMMENTS	DEC 2017
A	CLIENTS COMMENTS	DEC 2017

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LABC Fenland District Council Building Design Awards winner

CLIENT	Mr Henson
PROJECT	44 Robingoodfellows Lane March Cambs PE15 8JB
TITLE	Proposed Plans And Elevations
DRAWN	M.Halmshaw
CHECKED	
DATE	November 2017
SCALE	As Shown
DATE OF ISSUE	
DRAWING NUMBER	H5550/02H