

F/YR16/0321/F

**Applicant: Mr K Moon**

**Agent : Swann Edwards  
Architecture Ltd**

**Land South Of 27 Badgeney Road Fronting, Green Street, March,  
Cambridgeshire**

**Erection of a 2-storey 2-bed dwelling involving demolition of existing  
outbuildings**

**Reason for Committee: Call in by Cllr Count.**

---

## **1 EXECUTIVE SUMMARY**

The site forms part of the long rear garden of No 27 Badgeney Road, March. The site has been the subject of two previous applications. In 2015 an application for a very similar proposal but located at the edge of the pavement fronting Green Street was refused because of the detrimental impact on the character of the area, and because of overlooking particularly onto No 1 Green Street. An amended proposal was submitted earlier this year but was withdrawn. This proposal is the same as the withdrawn scheme and has been called in by the Councillor who considers that the proposal is now acceptable and should be approved which is contrary to the Officer's recommendation.

This proposal sets the dwelling back from the footpath, and locates it very close to the boundary between No 27 and No 25. Consequently, no openings are proposed in the rear (western) elevation of the dwelling. The garden to the property is to be provided at the front of the house and will be 5m deep. The existing 2m high fence along Green Street will be retained but an access (and two parking spaces) will be created onto Green Street, to the south of the plot. (The access currently serves the garage of No 27 and will be demolished.)

Whilst the principle of development is acceptable in terms of the sustainability of the settlement, and although the siting of the dwelling has been pushed back approximately 4.5m, Officers consider that the dwelling will be very prominent within the streetscene because of the open nature of the area at this "T" junction. This would result in a significantly detrimental impact on the character of the area which would be contrary to Policy LP16.

The north and south side elevations overlook the neighbouring properties and contain only small windows at first floor level to light two bathrooms. All other windows and a patio door are sited in the front (east elevation). It is considered that the previous concerns relating to overlooking have been addressed. However, in order to achieve this, the design of the dwelling fails to meet the standards of design required by Policy LP16, specifically with regard to the lack of a defined frontage to

the dwelling (because of the need to locate the amenity space to the front of the property), which is a characteristic of other properties in the area. In addition, due to the siting of the dwelling close to the western boundary, there will be both visual and overbearing impact on No.25 Badgeney Road together with the potential for unacceptable overshadowing to the rear garden of this property.

Therefore it is considered that due to the restricted dimensions of the plot resulting from the subdivision of the garden, particularly in terms of depth, the proposed design of the dwelling would not respond to the local built form and would result in unacceptable impacts on neighbouring amenity which would be contrary to Policy LP16 (d and e).

## **2 SITE DESCRIPTION**

The site is the rear garden of No 27 Badgeney Road which sits on a corner plot with Green Street. The area is defined by linear development with plots fronting the highway and very little back land development. The T junction with Green Street is open with a development of single storey properties (Gimbert Square) to the east which adds to the distinctive open nature of the streetscene in this locality. Where the rear garden of the host dwelling terminates a strong building line forms down Green Street where the properties are set back significantly from the rear garden of No 27.

The rear garden is long, a characteristic of the properties along Badgeney Road, currently consisting of a vegetable garden, greenhouse, shed and detached garage. The site is within Flood Zone 1.

## **3 PROPOSAL**

The application is for a detached 2 bed, 2 storey dwelling situated along the western boundary of the rear garden.

The footprint of this property is shown as 5.4m deep x 9.4m wide; with an eaves height of 5m and a ridge height of 7m. Bathroom windows are proposed to both the side elevations (north and south) with all other windows proposed in the eastern elevation.

Fencing at 1.8m high is proposed to the northern and western boundary with a 1m low timber fence proposed to form the southern boundary. Along the eastern boundary and in order to enclose the amenity space, the existing 2m high fence is to be retained.

Materials are to be confirmed later.

Plans and associated documents are available to view via the following link;  
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=O6WZTGHE01K00>

#### **4 SITE PLANNING HISTORY**

F/YR16/0106/F Erection of a 2-storey 2-bed dwelling involving demolition of existing outbuildings. Withdrawn 08/04/2016

F/YR15/0327/F Erection of a 2-storey 3-bed dwelling. Refused 08/10/2015

#### **5 CONSULTATIONS**

##### **March Town Council**

Recommend approval

##### **FDC Scientific Officer**

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. However, the development involves the demolition of existing outbuildings; therefore, the following condition should be included.

##### **UNSUSPECTED CONTAMINATION**

**CONDITION:** If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

**REASON:** To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

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

Two letter of objection were received. Concerns include:

Overlooking to No 1 Green Street;

Front door entrance is at right angles to lounge window of No 1 Green Street;

Views from No 1 Green Street would be of a blank wall (rear elevation of the proposal);

Out of line with other properties in the street;

Devaluation of property;

Flooding of gardens;

Block the views from the rear of No 23 Badgeney Road.

#### **6 POLICY FRAMEWORK**

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

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

Para 56 – Good design is a key aspect of sustainable development

Para 196 – Decisions should be taken in accordance with the development plan

Para 197 – Presumption in favour of sustainable development

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

Policy LP1 – A Presumption in Favour of Sustainable Development

Policy LP2 – Health and Well Being

Policy LP3 – Spatial strategy, the settlement hierarchy and the countryside

Policy LP16 - Delivering and Protecting High Quality Environments

## **7 KEY ISSUES**

- **Principle of Development**
- **Character and Design**
- **Residential amenity**

## **8 BACKGROUND**

Planning permission was previously refused under F/YR15/0327/F for a 2-storey dwelling on the site. This application proposed the dwelling to be sited at front of the plot (east) with the garden at the rear (west). The application was refused as it was considered to fail to accord with the prevailing character in this area of Green Street - representing a 'strident and alien feature within the streetscene which will be detrimental to the character of the area.'

Furthermore the development was identified as causing harm through loss of privacy to occupiers at No 1. Green Street due to window positioning and proximity.

Subsequent pre-application discussions have taken place with the applicant whereby a proposed single storey dwelling was considered to fail to accord with the character of the area where predominantly 2-storey dwellings along this side of Green Street are found.

A pre-application proposing a 2-storey dwelling and a layout almost identical to that currently under consideration with this application was also submitted. The Officer advised that the layout was uncharacteristic with the general form and character of the area and also raised concerns that the ground floor would be screened with 2m high fence – again uncharacteristic. Furthermore, the Officer considered there to be an issue relating to the proximity of the dwelling to the rear boundary and the resultant outlook for existing adjacent residents.

Planning application F/YR16/0106/F, which is identical to that currently under consideration, was submitted earlier in 2016 following the aforementioned pre-application advice. The Officer advised that the application would be refused on those grounds as identified in the pre-application response. The application was subsequently withdrawn.

## **9 ASSESSMENT**

### **Principle of Development**

Policy LP3 defines March as a Primary Market Town where the majority of the district's new housing should take place. The site lies within the built form of March and therefore the principle of development is acceptable subject to compliance with other local plan policies.

### **Character and Design**

Policy LP16 requires new development to deliver and protect high quality environments. The area is characterised by ribbon development fronting onto the highway and examples of development in depth are few and principally relate to outbuildings/garages within the curtilage of the dwellings occupying a frontage position along the road. There are no examples of residential development in depth that run along the back of properties as proposed in this application. Thus

the proposal would not be in keeping with the core shape and form of the town in this location

The siting of a new dwelling in this location would erode part of this important visual gap at the T junction of Badgeney Road and Green Street which will adversely harm the character and appearance of the area. The erosion of this gap will make a negative contribution to local distinctiveness, diminish local identity, and adversely impact on the street scene and landscape character in this area including by disrupting in the symmetry of the street scene. The proposal would therefore be contrary to Policy LP16.

Due to the restricted dimensions of the plot resulting from the subdivision of the garden, particularly in terms of depth, the proposed design of the dwelling would not respond to the local built form. It fails to meet the standards of design required by Policy LP16, specifically with regard to the lack of a defined frontage to the dwelling (because of the need to locate the amenity space to the front of the property), which is a characteristic of other properties in the area. The proposal is therefore also considered to be contrary to LP16 for this reason.

### **Residential amenity**

Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbouring users. The comments of the neighbours are noted but with regard to overlooking, the proposed bathroom windows in the side elevations could be conditioned to be retained as obscure glazing. Views from the front door of the proposal into the lounge window of No 1 Green Street are considered to be possible but not to have such an impact that they would be significantly detrimental to the amenity of the occupiers of No 1.

Due to the siting of the proposed dwelling close to the western boundary with a 2-storey blank wall directly onto the rear garden of No.25 Badgeney Road, there will be both adverse visual and overbearing impacts on No.25 Badgeney Road together with the potential for unacceptable overshadowing to the rear garden of this property contrary to policy LP2 and LP16(e)

The outlook from No 1 Green Street would be somewhat affected by the proposed blank rear elevation of the new dwelling. However, it is not considered that this would be significant.

Residents have raised concerns over devaluation of property as a result of the development however the devaluation of property is not a material planning consideration.

## **10 CONCLUSIONS**

Whilst the principle of development is acceptable in terms of the sustainability of the settlement, and although the siting of the dwelling has been pushed back approximately 4.5m, Officers consider that the dwelling will be very prominent within the streetscene because of the open nature of the area at this "T" junction. This would result in a significant, detrimental impact on the character of the area which would be contrary to Policy LP16.

The north and south side elevations overlook the neighbouring properties and contain only small windows at first floor level to light two bathrooms. All other windows and a patio door are sited in the front (east elevation). It is considered that the previous concerns relating to overlooking have been addressed. However, in order to achieve this, the design of the dwelling fails to meet the standards of design required by Policy LP16, specifically with regard to the lack of a defined frontage to the dwelling (because of the need to locate the amenity space to the front of the property), which is a characteristic of other properties in the area. Additionally, the siting of the dwelling close to the western boundary would result in unacceptable overshadowing and overbearing impacts on No.25 Badgeney Road and would severely harm the outlook for occupiers of this property.

Therefore it is considered that due to the restricted dimensions of the plot resulting from the subdivision of the garden, particularly in terms of depth, the proposed design of the dwelling would not respond to the local built form and would result in unacceptable impacts on neighbouring amenity which would be contrary to Policy LP16 (d and e).

## **11 RECOMMENDATION**

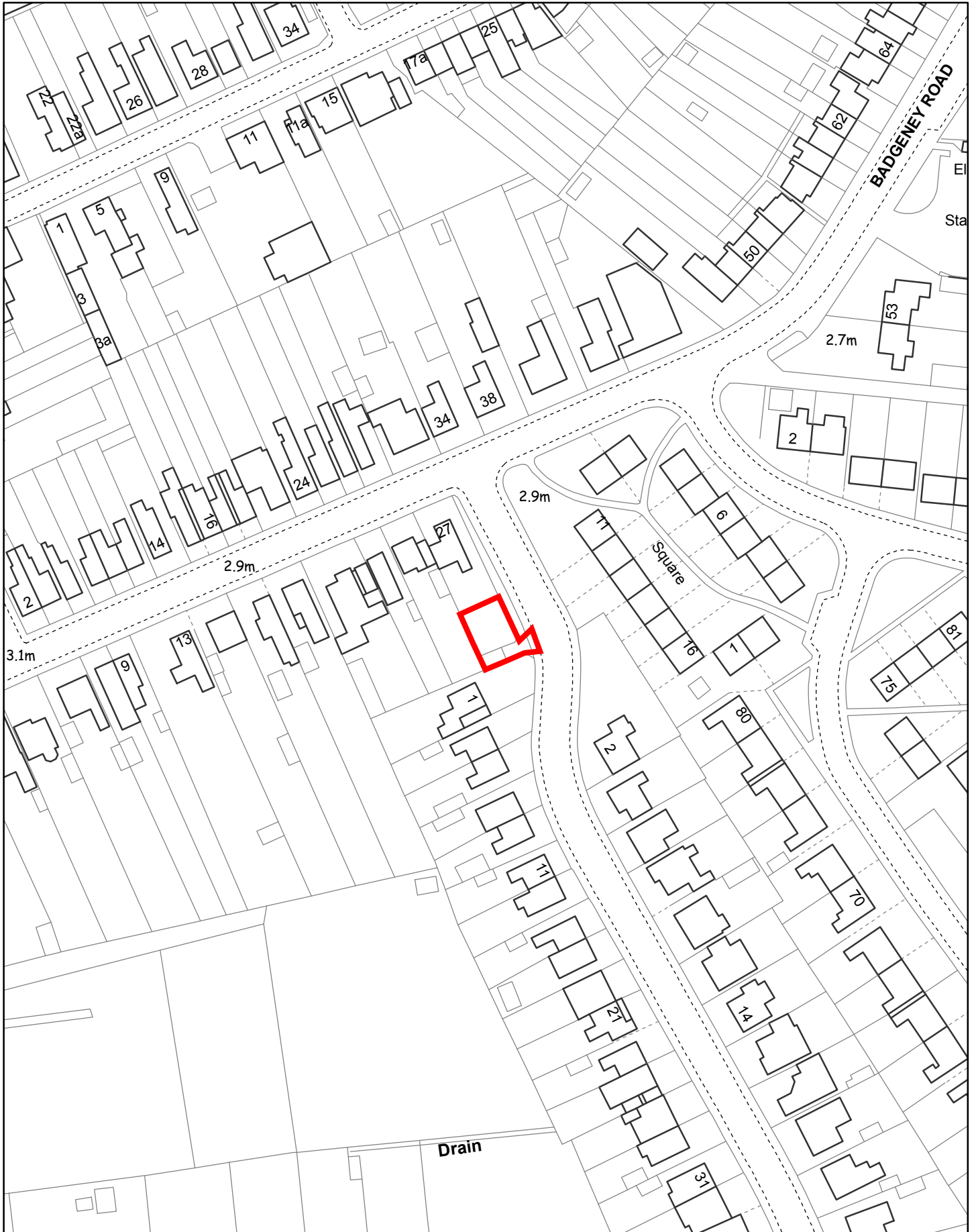
### **Refuse**

1. Policy LP16 promotes the delivery and protection of high quality environments across the District. Part (d) requires all new development to make a positive contribution to the local distinctiveness and character of the local built environment, to reinforce local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

The siting of a new dwelling in this location would erode part of this important visual gap at the T junction of Badgeney Road and Green Street which will adversely harm the character and appearance of the area. The erosion of this gap will make a negative contribution to local distinctiveness, diminish local identity, and adversely impact on the street scene and landscape character in this area including by disrupting the symmetry of the street scene. Due to the restricted dimensions of the plot resulting from the subdivision of the garden, particularly in terms of depth, the proposed design of the dwelling would not respond to the local built form. It fails to meet the standards of design required by Policy LP16, specifically with regard to the lack of a defined frontage to the dwelling (because of the need to locate the amenity space to the front of the property), which is a characteristic of other properties in the area. The proposal is therefore considered to be contrary to LP16(d) for the reasons stated above.

2. Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of neighbouring users. The dwelling is proposed to be sited close to the western boundary with a 2-storey blank wall facing directly onto the rear garden of No.25 Badgeney Road. This would result in both adverse

visual and overbearing impacts on No.25 Badgeney Road together with the potential for unacceptable overshadowing to the rear garden of this property contrary to policy LP2 and LP16(e) of the Fenland Local Plan (adopted May 2014).



Created on: 13/05/2016

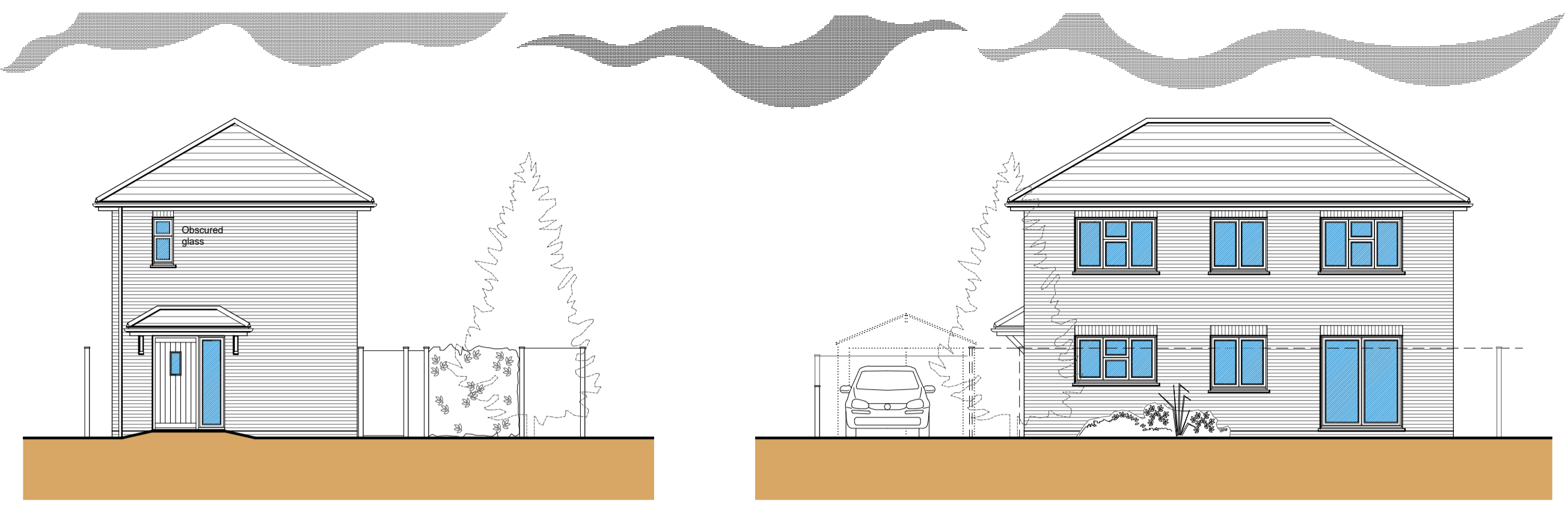
© Crown Copyright and database rights 2016 Ordnance Survey 10023778

**F/YR16/0321/F**

Scale = 1:1,250

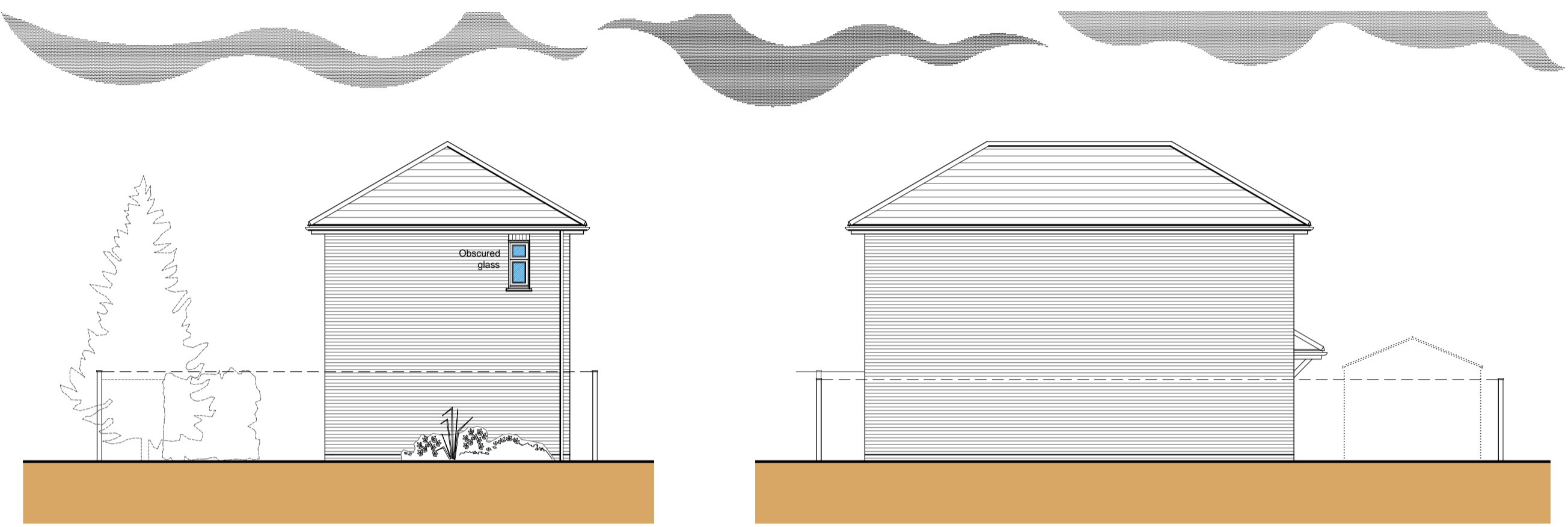






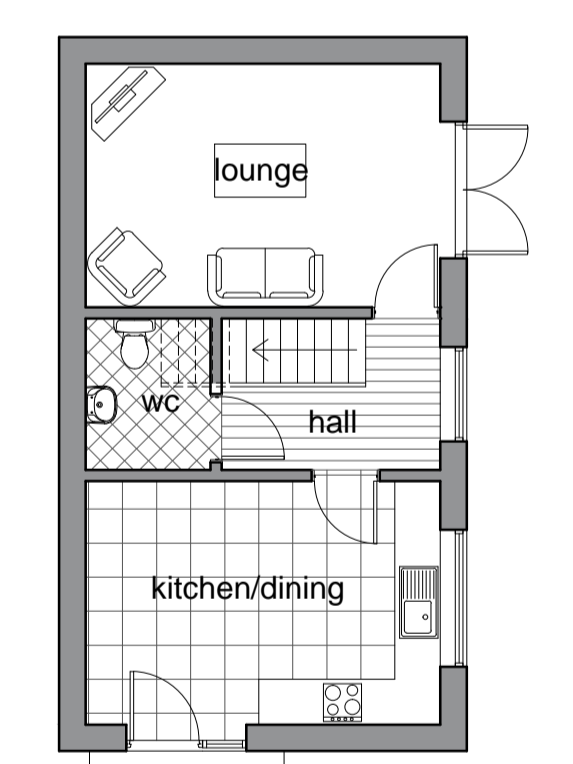
Front Elevation (S)  
Scale: 1:100

Side Elevation (E)  
Scale: 1:100

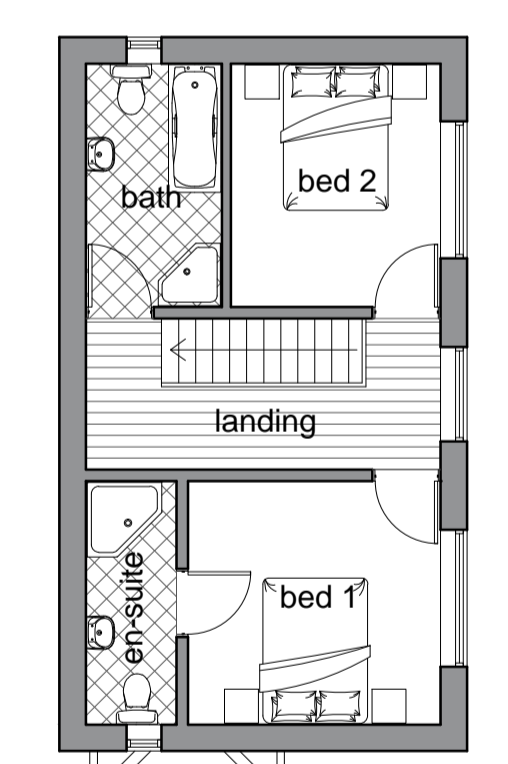


Rear Elevation (N)  
Scale: 1:100

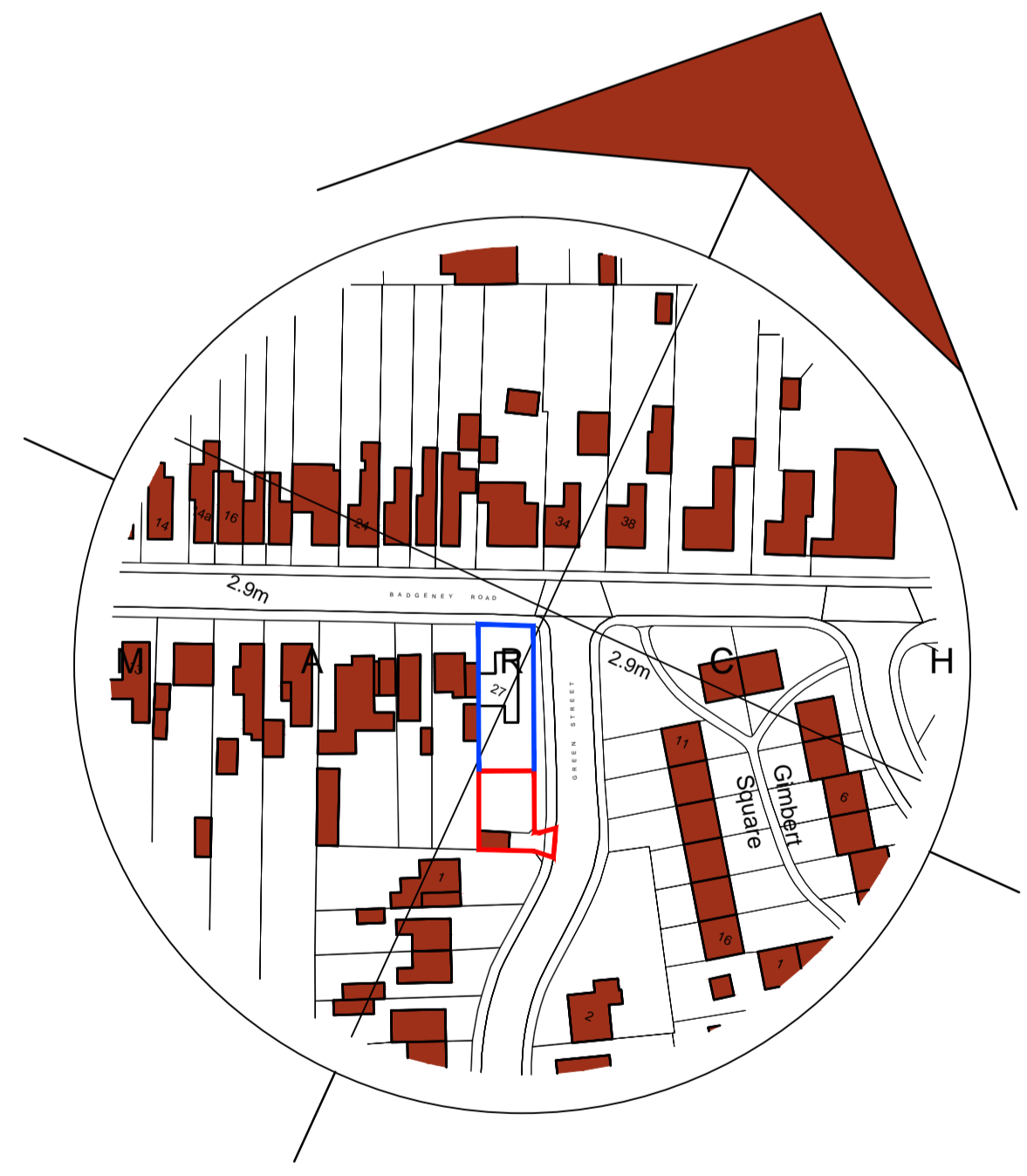
Side Elevation (W)  
Scale: 1:100



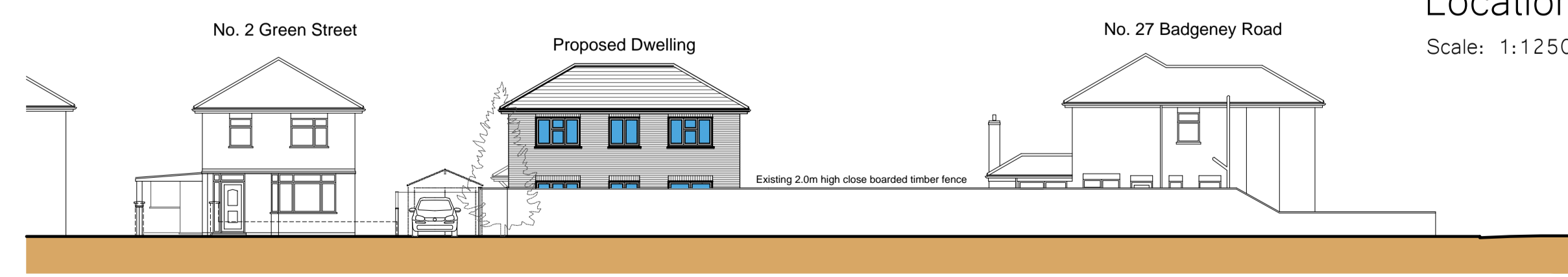
Ground Floor Plan  
Scale: 1:100



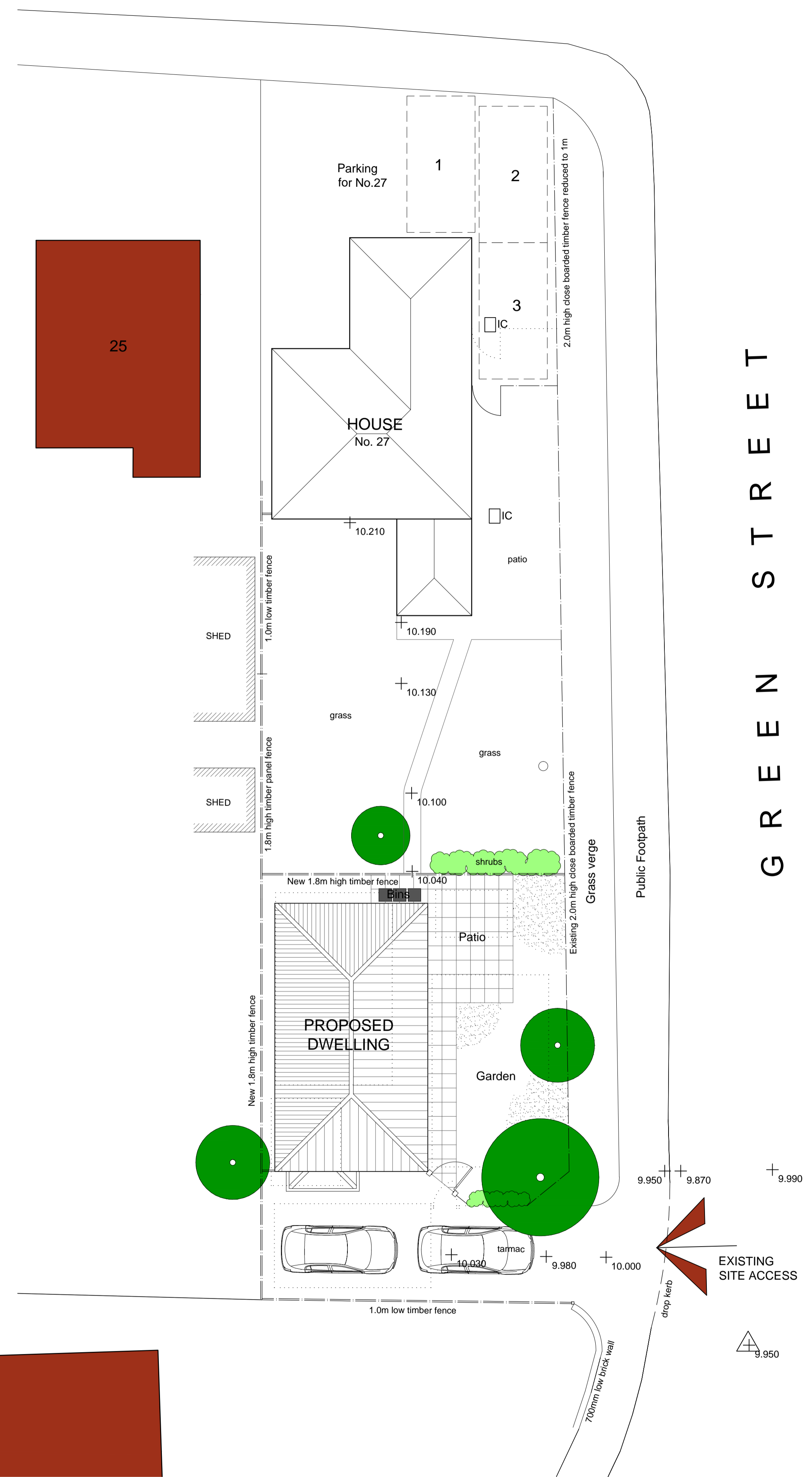
First Floor Plan  
Scale: 1:100



Location Plan  
Scale: 1:1250



Street Scene  
Scale: 1:200



Site Plan  
Scale: 1:100

**General Notes**  
 1. This drawing shall not be scaled, figured dimensions only to be used.  
 2. All dimensions are shown in "mm" unless otherwise stated.  
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.  
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.  
 5. Any discrepancies are to be brought to the designers attention.

**SITE PLAN KEY**

- Indicates access on to the site
- Indicates buildings un-surveyed (from ordinance survey location plan)
- Dotted line indicates removal of existing features on site
- Indicates proposed dwellings
- Indicates proposed patio area
- Indicates existing site levels
- Indicates grassed garden areas
- Indicates existing planting
- Indicates existing trees

**MEASUREMENTS:**

- Ground floor area = 51m<sup>2</sup>
- First floor area = 51m<sup>2</sup>
- Total floor area = 102m<sup>2</sup>
- Max Eaves Height = 5.0m
- Max Ridge Height = 7.0m
- Overall Width = 5.39m
- Overall Length = 9.44m



Swann Edwards Architecture Limited, Elveden House, Gull Road, Guyhirn, Wisbech, Cambs, PE13 4ER  
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title	Date	Scale
Proposed Dwelling	December 2015	As Shown
Land South of 27 Badgeney Rd March, Cambs		Sheet Size A1
Drawing Title	Job No.	Drawn by
Planning Drawing Plans, Elevations, Site & Location Plan	SE-389	SH
	Dwg No.	Revision
	20	