



Appeal Decision

Site Visit made on 17 August 2021

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd November 2021

Appeal Ref: APP/L2820/D/21/3278963

13 Ironwood Avenue, Desborough, Kettering NN14 2JJ

- 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 Mrs Fernanda Van Raepenbusch & Mr Paul Meurisse against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0091, dated 3 February 2021, was refused by notice dated 8 April 2021.
 - The development proposed is described as 'alteration to boundary treatment in rear garden'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellants within their extensive appeal submission requested to be heard orally. However, after carefully considering all of the submitted evidence I consider that the issues are clear and well defined. Therefore, it is not necessary to test the evidence by questioning nor do I need to seek clarification regarding any other matters.
3. One of the appellants stated reasons for their appeal is that the local planning authority failed to give notice within the prescribed period of a decision on an application for planning permission. However, their appeal was dated 10 June 2021, which is at least 8 weeks after the Council issued their decision. I have therefore considered it as an appeal against a refusal to grant planning permission.

Application for costs

4. An application for costs was made by Mrs Fernanda Van Raepenbusch & Mr Paul Meurisse against North Northamptonshire Council. This application is the subject of a separate decision.

Main Issue

5. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site is located within a modern planned residential area. The estate contains detached, semi-detached, terraced houses and purpose built flats, with a mix of building heights (two, two and a half, and three storey). The properties are constructed from a variety of materials, but in the main, brick and render. Number 13 Ironwood Avenue is a two-and a half storey property finished in brick and render located on a prominent corner at the junction with Mulberry Close. Numbers 11 and 13 Ironwood Avenue are designed to create a gateway to Mulberry Close and although the houses are not identical their separation, the use of single storey garages and boundary walls, railings and landscaping make a significant contribution to the character of the area.

Character and appearance

7. The appeal proposal relates to the construction of a brick wall (approximately 2.2m in height) with an aluminium sliding gate across the northern boundary at the rear of the property along with the addition of coping stones of the western side boundary wall fronting Mulberry Close. The appellants have stated that the purpose of the proposal is to increase sustainability, safety, security, privacy and reduce the effects of the wind from the northwest.
8. I accept that the replacement of a close boarded timber fence with a brick wall constructed and detailed from materials that match the palette of materials used in the area could potentially be an aesthetic improvement. However, the proposed wall and sliding gate at an approximate height of 2.2m would appear overly dominant and incongruous when compared to the existing boundary treatment in the immediate area that is approximately 1.8m high. Moreover, the harm that I have identified is not outweighed by any potential benefits by way of an increase in sustainability, safety, security, privacy or reducing the effect of the wind from the northwest. Consequently, the proposal would appear at odds with the street scene, resulting in material harm to the character and appearance of the area.
9. With regard to the proposed addition of coping stones to the western side boundary wall, whilst I accept that this element would only result in a modest increase in height, they would appear out of keeping when compared to the blue brick detailing of the other boundary walls in the area. As such, although a relatively minor detail the introduction of coping stones would incrementally erode the carefully planned and detailed character of the area.
10. I therefore consider that the proposal would result in material harm to the character and appearance of the area. Having come to the conclusions above, it follows that the proposal would therefore be in conflict with Policy 8 of the North Northamptonshire Joint Core Strategy 2011 - 2031. This seeks amongst other things to ensure that development contributes to the character and appearance of an area by

responding to the site's immediate and wider context and local character.

Other Matters

11. The appellants have referred to the Council's decision making process including concerns regarding their administration and determination of the application. However, this is a matter of local government accountability and even if members of the Council's planning team had provided more detail in their responses or entered into further negotiation, I have no evidence before me to suggest that the decision would have been different.
12. The appellants have drawn my attention to their understanding of the shared private driveway/access arrangements. However, this is a private legal matter for the parties bound by the agreement.

Conclusion

13. For the reasons given above, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

Jameson Bridgwater

INSPECTOR