



Appeal Decision

Site Visit made on 4 November 2021

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2021

Appeal Ref: APP/L2820/D/21/3270020

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/2021/0041, dated 11 January 2021, was refused by notice dated 8 April 2021.
 - The development proposed is described as 'alteration to boundary treatment in front 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 2 June 2021, which is at least 7 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, with Ironwood Avenue being the main entrance. It is a tree-lined avenue that directs views into the wider area, along with being an important townscape feature in its own right. The front gardens are open plan, although some properties have simple low metal railings and/or landscaping/hedges. These features make a significant contribution to the spacious character of the area.
7. 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. The front garden is open plan with a small hedge close to the front elevation of the house.

Character and appearance

8. The appeal proposal relates to the construction of an approximately 2.3m high brick wall with railings set between piers and a pedestrian gate at the front of the property, that would enclose the front garden area in its entirety.
9. The appellants have stated that the purpose of the proposal is to improve accessibility, sustainability, safety, security, privacy and enable them to sit outside in the south facing front garden to benefit from the sunshine. However, due to its atypical forward projection and its height of approximately 2.3m, the boundary wall/railings/gate would appear overly dominant, stark and incongruous, when compared to the prevailing open planned front gardens that characterise Ironwood Avenue. Moreover, the harm I have identified would not be mitigated by the appellants proposed use of sympathetic materials and landscaping/planting, nor is it outweighed by any of the potential benefits advanced by the appellants.
10. Consequently, the proposal would appear discordant in the open plan street scene, resulting in significant material harm to the character and appearance of the area. Therefore, it follows that the proposal would 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.

Conclusion

12. 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