

Application Ref: 22/00450/HHFUL

Proposal: Erection of boundary wall to front and side

Site: 122 Newark Avenue, Dogsthorpe, Peterborough, PE1 4NS
Applicant: Mrs Yasmeen Hussain

Agent: Mr N P Branston
 Branston Assoc.

Site visit: 09.05.2022

Referred by: **Councillor Dennis Jones**
Reason: For consistency: Similar application was determined at committee.

Case officer: Connor Liken
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Recommendation: **REFUSE**

1 Description of the site and surroundings and Summary of the proposal

Site Description

The application site comprises of a semi-detached two-storey dwelling situated on a corner plot, finished in a red brick. The principal elevation of the dwelling faces Newark Avenue, a classified 30mph road, and to the side is Rowan Avenue, a residential street serving residential properties. The application site has a garage at the rear of the property, which has a dedicated vehicle access and dropped kerb onto Rowan Avenue, situated 80m from the junction with Newark Avenue. There is a zebra crossing situated in front of No. 122 Newark Avenue, and there is a pedestrian footpath that runs along the rear of the property.

The character of the area is predominantly detached and semi-detached, single-storey and two-storey residential dwellings, comprising a mixture of detached and semi-detached with dwellings of a similar size, age and design. The material palette within the locality is predominantly red brick, however there are some properties which have utilised render of various cream / white tones. These dwellings are generally situated on a similar building line; however, it is recognised that No. 120-122 and 126-128 are at an angle framing Rowan Avenue. Another defining feature of the properties along Newark Avenue and Rowan Avenue is good levels of mature soft landscaping to the street scene, fronting these public areas behind dwarf walls.

Proposal

Planning permission is sought for the erection of a boundary wall to front and side of the dwelling, measuring approximately 16.80m x 0.30m x 2.25m along the side and 4.20m x 0.30m x 2.25m along the front. Materials used in the construction would match those previously approved under 22/00450/HHFUL.

2 Planning History

Reference	Proposal	Decision	Date
21/00806/HHFUL	New boundary wall (part-retrospective), new vehicular footpath crossing and hard paving to front garden	Permitted	16/09/2021
21/00285/HHFUL	Part-retrospective new boundary wall	Refused	21/05/2021
18/00913/OTH	Confirmation of whether planning permission is required for a dropped kerb	Comments	13/06/2018
P0790/77	Erection of garage	Permitted	25/10/1977

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2021)

Paragraph 130 - Poor Design

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an areas and the way it functions. Conversely where the design accords with clear expectations in plan policies, design should not be used by the decision marker as a valid reason to object to development. Local Authorities should seek to ensure that the quality of the development approved is not materially diminished between permission and completion.

Peterborough Local Plan 2016 to 2036 (2019)

LP13 - Transport

LP13a) New development should ensure that appropriate provision is made for the transport needs that it will create including reducing the need to travel by car, prioritisation of bus use, improved walking and cycling routes and facilities.

LP13b) The Transport Implications of Development- Permission will only be granted where appropriate provision has been made for safe access for all user groups and subject to appropriate mitigation.

LP13c) Parking Standards- permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

LP13d) City Centre- All proposals must demonstrate that careful consideration has been given to prioritising pedestrian access, to improving access for those with mobility issues, to encouraging cyclists and to reducing the need for vehicles to access the area.

LP16 - Urban Design and the Public Realm

Development proposals would contribute positively to the character and distinctiveness of the area. They should make effective and efficient use of land and buildings, be durable and flexible, use appropriate high-quality materials, maximise pedestrian permeability and legibility, improve the public realm, address vulnerability to crime, and be accessible to all.

LP17 - Amenity Provision

LP17a) Part A Amenity of Existing Occupiers- Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

LP17b) Part B Amenity of Future Occupiers- Proposals for new residential development should be designed and located to ensure that they provide for the needs of the future residents.

4 Consultations/Representations

PCC Property Services

No comments received

Local Residents/Interested Parties

Initial consultations: 8

Total number of responses: 0

Total number of objections: 0

Total number in support: 0

No public / neighbour representations have been received from local residents.

Cllr Dennis Jones has expressed his support for the scheme for the following reason: The application relates to a similar application which was determined by committee recently.

5 Assessment of the planning issues

The main planning considerations are:

- Planning history.
- Design and impact to local character.

a) Planning history.

Planning permission was refused for the part-retrospective new boundary wall (21/00285/HHFUL) under a diversion from Policy LP16 of the Peterborough Local Plan (2019) and Paragraph 130 of the NPPF (2019). However, the planning application was later resubmitted under 21/00806/HHFUL, called into planning committee, and subsequently approved by committee decision.

b) Design and impact to local character.

To clear the way for the proposed boundary wall, the remainder of an established hedgerow situated along Rowan Avenue must be removed. The wall stands at 2.25m in height and would be erected 16.80m along the remainder of the side boundary.

When assessing the defining characteristics of this part of Newark Avenue and Rowan Avenue, the palette of materials is predominately red brick, with subservient dwarf walls situated to the front of dwellings, with varying levels of landscaping either situated behind walls, or form the boundary to the respective plot. The exception to this, however, is 126 Newark Avenue, the garden of which runs parallel to Rowan Avenue, where there is a 1.8m high concrete-post close-boarded fence with conifers behind. The fence in question runs the entirety of the back edge of the footway, where it meets a low dwarf wall and turns the corner with Newark Avenue.

Paragraph 127 of the NPPF (2019) states, 'planning policies and decisions should ensure that developments ... will ... add to the overall quality of the area ... over the lifetime of the development, b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, c) are sympathetic to local character and history, including the surrounding built environment and landscape setting ...'. Paragraph 130 goes on to state, 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. This is reflected by Policy LP16, expanded upon above.

Officers are conscious that this application would degrade the boundary of 122 Newark Avenue, destroying the appropriate balance between soft landscaping and residential boundary, as described above. The complete removal of the hedgerow, and replacement with matching wall would significantly change the character and appearance of the street scene, to an unacceptably harmful level, and would not be supported by Officers.

Furthermore, the scheme has used a smooth, yellow brick in an area characterised by a traditional red brick with a textured appearance. The incorporation of matching capping to the top of the wall has not been included, therefore a fundamental component of a standard brick wall is missing. Although the addition of capping was suggested in committee under 21/00806/HHFUL, the proposed amendment was discarded, therefore reducing the capacity to allow a high-quality finish. Whilst the wall has used red detailing, this is not considered to otherwise break up the mass and dominating colour and finished appearance of the wall on the street scene. As such, the use of a yellow brick in an area characterised predominantly by a red brick would result in a strikingly discordant form of development, that is markedly out of keeping with the established character and appearance of the area, to an unacceptably harmful degree.

Whilst the scale and height of the wall, being similar to the existing hedgerow, would not in itself be out of keeping with the street scene, its extent, together with the proposed colour and texture, would be markedly out of keeping with the traditional palette of materials within the immediate locality, (as is evident from the section of wall already constructed) and therefore harmful to the character and appearance of the area, the proposal is contrary to Policy LP16 of the Peterborough Local Plan (2019) and Paragraph 130 of the NPPF (2019).

6 Conclusions

The proposal is unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons given below.

7 Recommendation

The case officer recommends that Planning Permission is **REFUSED**

- R 1 The proposed development would be constructed with a smooth yellow brick with red detailing within an area characterised predominantly by a red brick of a textured appearance. As such, the proposed wall would form a prominent and undesirable feature within the street scene, which is contrary to the established mix between soft landscaping and residential boundaries of an area with an established character and distinctiveness. The proposal would be visually unattractive and unsympathetic, detracting from the overall quality of the area and street scene. Therefore, the proposed development does not accord with Policy LP16 of the Peterborough Local Plan (2019) and Paragraph 130 of the NPPF (2019).

Copy to Councillors - Councillor Dennis Jones