



Appeal Decision

by Nia Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 13/12/2022

Appeal reference: CAS-02205-B0M5B2

Site address: 45 Narrow Lane, Gresford, Wrexham, LL12 8EN

- 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 Marie Parry against the decision of Wrexham County Borough Council.
 - The development is described as 'to remove existing dying hedgerow and replace with wall, fence and gate'.
 - A site visit was made by the Inspector on 29 November 2022.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling within a residential area of properties of similar scale and appearance. Due to their position framing the entrance to Beech Avenue, both No.43 Narrow Lane (No.43) and the appeal property have large side gardens. Most properties on this side of the street have parking spaces in their front gardens. The appeal property differs to its neighbours in having a vehicular access and parking area off Beech Avenue, to the rear of the dwelling, and no parking space in its front garden. Various boundary treatments are present in the immediate locality including hedges, brick walls and close-boarded fencing. Despite the variety in materials, boundaries are similar in height, allowing extensive views across property frontages creating a sense of openness.
4. The development was in place at the time of my visit. It comprises a brick base wall with regularly spaced brick pillars between which are inserted arched timber fence panels, in all reaching a height of 1.8m within the garden. It extends along the property's external boundary from its vehicular access onto Beech Avenue, following the curve of the road and up to its front pedestrian access path on Narrow Lane.

5. The Council does not object to that part of the fence fronting Beech Avenue, up until it draws level with the front façade of the property's single storey side extension. I saw that much of the development up to this juncture is obscured by the side garden fence of No.43 in the approach from the east, and by the appeal dwelling itself in views from the west. Given that the brickwork is similar to the external finish of dwellings in the locality and views of this part of the development are limited to its immediate context, I agree with the Council that the development up to this point is not harmful to the character and appearance of the area.
6. However, due to its substantial height and length, together with its position on a prominent corner forward of the front elevation of the dwelling and its side extension, the remainder of the development forms a conspicuous and highly obtrusive structure in the street. Given its height and position, it has an unacceptable enclosing effect on the frontages of both the appeal property and that of its closest neighbours when viewed from the east, at odds with the openness of this side of the street.
7. I conclude that the development harms the character and appearance of the area. It is therefore contrary to Wrexham Unitary Development Plan (UDP) Policies GDP1 and PS2 which both seek to ensure that built development accords with the character of the site.

Other Matters

8. The Council has drawn my attention to an appeal decision in Wrexham but whilst I acknowledge some similarities between the end of terrace side garden situation at both sites, the context is different, and I have determined this appeal on its own merits.
9. I have had regard to the particular configuration of the appellant's garden and the difference in levels between it and the adjoining street, together with the desire to provide privacy and security for family members. However, I saw that a small private area of garden is available to the rear of the dwelling and no evidence has been provided that privacy and security requirements could not be met by other means. I have also taken into account the suggested reduction in the height of the fence to an external height of 1.8m but no detailed plans are available to assess any effects and consequently this matter cannot be governed by a condition. I must in any case assess the scheme as determined by the Council.

Conclusion

10. For the above reasons, and taking all other matters raised into account, the appeal is dismissed.
11. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

Nia Jones

Inspector