



Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 11/10/11

Site visit made on 11/10/11

gan Gareth A. Rennie BSc(Hons) DipTP
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 25/10/11

by Gareth A. Rennie BSc (Hons) DipTP
an Inspector appointed by the Welsh Ministers
Date: 25/10/11

Appeal Ref: APP/H6955/A/11/2157198

Site address: 15 Bro Gwilym, Cefn Mawr, Wrexham, LL14 3NY

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Mr Samuel Sheady against the decision of Wrexham County Borough Council.
 - The application Ref CEF P/2010/1091, dated 24 December 2010, was refused by notice dated 26 January 2011.
 - The development proposed is the removal of a 24 metres long, and 2.4m high, privet hedge and the erection of a 1900mm high timber fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are the effect of the proposal on the character and appearance of the surrounding area, and the effect of the proposal on highway safety.

Procedural matter

3. I note that in this case the boundary hedge has already been replaced with close boarded wooden fence and I have proceeded on that basis.

Reasons

4. The area around Bro Gwilym is mainly residential and is characterised by mainly semi-detached houses with short front gardens. An important aspect of their character is the regularity of their layout and appearance and this is reflected in the boundaries to these properties. The boundaries to the front gardens are an integral part of the character of these houses and of the area. They are typically privet hedges and open metalwork gates, and make a significant contribution to the verdant character of the area despite the concentration of housing. The properties on the corner of Bro Gwilym and Cae Gwilym Lane are an important part of this as they occupy a prominent position at the junction of the streets and are both an end point and an introduction to the streets that join it.

5. In this case the privet hedge and original gates have been removed and replaced with close-boarded fencing and new larger gates. The appeal property is in a prominent corner position and the fencing and gates are similarly prominent features.
6. The design and choice of materials for the replacement fencing at No.15 Bro Gwilym jars with the more traditional boundaries in the surrounding area. It presents a prominent and inconsistent element that is out of character with the remaining garden hedges of surrounding properties.
7. Although I do not consider the height of the fence to be harmful in itself, the design and materials of the fence are unsympathetic to, and inconsistent with, the character of the surrounding area. The combination of design, materials and height significantly harms the character and appearance of the area. Consequently the development is contrary to policy GDP1 of the Wrexham Unitary Development Plan.
8. The development has resulted in the almost complete lack of visibility for vehicles leaving the drive of No.15. This means that vehicles leaving the drive would have to enter the footway and possibly even the carriageway in order to gain enough visibility to exit safely. This would present a risk to the safety of cars travelling along Bro Gwilym, and to pedestrians.
9. Nonetheless, visibility from the drive would have been similarly restricted by the original hedge as are other properties in the area. In addition, the area is a quiet residential area. During my visit there did not appear to be a great deal of vehicular or pedestrian traffic using the roads, including Bro Gwilym. I acknowledge that my observations were limited to the period of my visit but I have no reason to believe that this pattern of use does not represent the generally prevailing situation. The proximity of the junction with Cae Gwilym Lane would also mean that speeds in the area would be likely to be low, this accords with my observations during my visit.
10. For these reasons I consider that the risk to highway safety as a result of the development would not be significant and would not appreciably alter the current situation for pedestrians and vehicular traffic.
11. I acknowledge that the appellant installed the fencing in order to protect the property from incidences of anti social behaviour, and that the appellant has a significant concern about such behaviour and its impact. National planning guidance contained within Planning Policy Wales, says that crime prevention can be a material consideration in the determination of planning applications. Nonetheless, and despite the appellant's personal experience of anti social behaviour, I do not consider that crime prevention and the protection of the appellant's property from crime outweigh the harm to the character of the area that I have identified. I acknowledge the need for secure boundaries but would conclude that this could be achieved in a manner that better reflects the character of the area.
12. The appellant has also drawn my attention to other similar fencing in the area. However, during my visit I noted these properties and it is my opinion that they also introduce a jarring note. I also have no information about the circumstances of those developments and I have determined this case on its own merits.
13. Consequently for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Gareth A. Rennie

Inspector