Yr Arolygiaeth Gynllunio, Adeilad y Goron,
Parc Cathays, Caerdydd CF10 3NQ
☎029 20823889 Ffacs 029 2082 5150
e-bost wales@planning-inspectorate.gsi.gov.uk

The Planning Inspectorate, Crown Buildings,
Cathays Park, Cardiff CF10 3NQ
☎029 20823889 Fax 029 2082 5150
email wales@planning-inspectorate.gsi.gov.uk

Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 10/05/10

Site visit made on 10/05/10

gan/by Gareth A. Rennie MRTPI FRGS

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad/Date 28/05/10

Appeal Ref: APP/H6955/A/10/2122209

Site address: Ty Awel, Shones Lane, Llay, Wrexham, LL12 0PL

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 George Powell against the decision of Wrexham County Borough Council.
- The application Ref LLA P/2009/0575, dated 22 June 2009, was refused by notice dated 11 August 2009.
- The development proposed is the erection of fencing above an existing front brick wall.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Procedural Matter

3. I note that in this case the development has already been carried out.

Reasons

4. The area surrounding the appeal property is characterised by semi detached and terraced houses. The boundaries to the front gardens are an integral part of the character of these houses and of the area. They are typically short brick-built walls, and open metalwork gates. Some of these have been supplemented by hedging, mostly privet.

5. In this case a wall and close-boarded fencing have been used to enclose the front garden of this detached corner property. There is also a higher wall which separates the adjacent public footpath from the side of the appeal property.

6. The appeal property is in a prominent corner position and the fencing and wall are similarly prominent features. The boundary, however, is of an uncharacteristic

height and, as a whole, is not domestic in scale, and does not reflect its setting. It is very different to fencing and walls used elsewhere in the surrounding area and of different materials. The use of such fencing on top of the wall is unusual and not what one would expect in such a suburban context.

7. The design and scale of the fencing at Ty Awel jars with the more traditional boundaries in the surrounding area. The fencing considerably increases the effective height of the boundary wall, and being close-boarded gives the overall boundary a defensive appearance and the house the impression of being fortified. As a whole, the current development presents a prominent and inconsistent element that is out of character with the garden walls and hedging of surrounding properties, particularly those along the adjacent Tenth Avenue.

8. Although I do not consider the height of the walls to be harmful, the design and materials of the fence to be retained are unsympathetic to, and inconsistent with, the character of the immediate area. Consequently the development significantly harms the character and appearance of the surrounding area and is contrary to policy GDP1 of the Wrexham Unitary Development Plan.

9. In addition, the presence of the fence on top of the wall restricts the visibility of the access to the house from pedestrians using the adjacent footway. This could lead to conflict between pedestrians using the footway and vehicles exiting the appeal property. The appeal property is in a busy location next to public footpath and a convenience store and one would expect a good deal of pedestrian traffic as a result. This risk to road safety is not very significant but does add weight to my previous conclusions.

10. 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.

11. 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