

REFERENCE: P/20/470/FUL

APPLICANT: Miss C Blower 12 Crown Row, Maesteg, CF34 0LG

LOCATION: 12 Crown Row Maesteg CF34 0LG

PROPOSAL: Retention of a new timber fence on top of an existing boundary wall

RECEIVED: 6 July 2020

APPLICATION/SITE DESCRIPTION

The application seeks retrospective planning permission for the retention of a new timber fence on top of an existing boundary wall to the side and rear of 12 Crown Row, Maesteg.

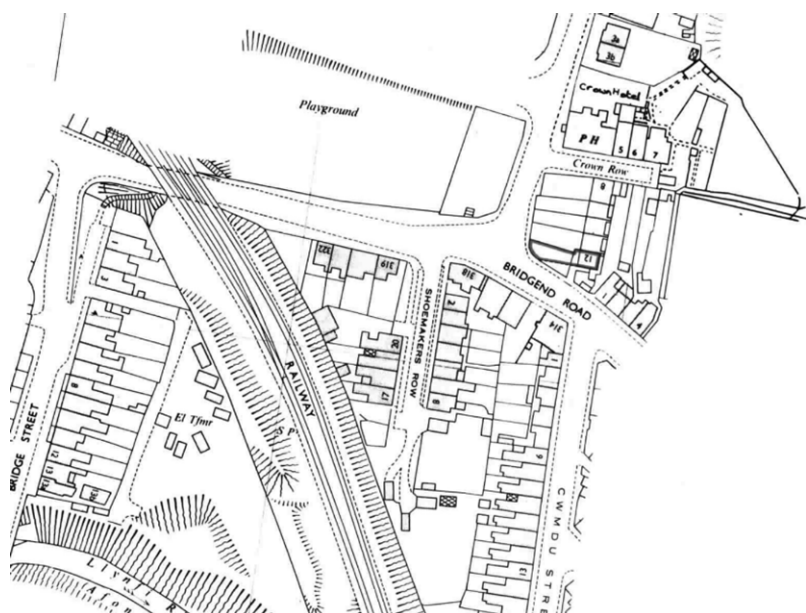
The application has been submitted as the result of an enforcement complaint and seeks to retain an existing 0.55m high close-boarded timber fence that has been erected on top of an existing boundary wall with a pedestrian, side gate access and an approximately 2m high close-boarded timber fence to the rear. The overall height of the fence measures approximately 1.95m high and wraps around the corner of the rear of the property to the driveway. The enclosure is already in situ and has been erected to the side and rear of the property to provide privacy to the garden of the dwelling as it fronts the main highway.

Figure 1 - Photograph of Enclosure



The application site relates to an end of terraced, two-storey property located on a prominent corner of Crown Row with Bridgend Road. Access to the property is located to the rear of the properties off the main highway via Crown Row. The application site is located within a predominately-residential area which are surrounded by similar properties, with similarly designed enclosures to that subject to this application.

Figure 2 – Site Location Plan



RELEVANT HISTORY

P/06/1293/FUL - Single storey extension to front elevation
Approved (with conditions) – 07/12/2006.

P/06/769/FUL - Two storey extension and dormer windows to front elevation
Approved (with conditions) – 01/08/2006.

ENF/197/20/ACK – Unauthorised erection of a fence – subject to this application.

PUBLICITY

Neighbours have been notified of the receipt of the application.
The period allowed for response to consultations/publicity expired on 21 August 2020.

CONSULTATION RESPONSES

Maesteg Town Council – No objection.

Transportation Officer (Highways) – No objection subject to a condition requesting a reduction in height of the rear fence and conversion to include a gated vehicular access.

REPRESENTATIONS RECEIVED

Three letters of objection have been received from neighbouring properties regarding the proposed development and raising the following concerns:

- Ugly eyesore and out of character with the area;
- Illegally erected – should be 1m in height;
- De-value property;
- Blocking view and affecting mental health and wellbeing;
- Blocking natural sunlight;
- Affects driveway of neighbouring property and;
- Causes an obstruction to access neighbouring property.

COMMENTS ON REPRESENTATIONS RECEIVED

The majority of the concerns raised by neighbouring properties have been addressed within the appraisal section of the report below.

Devaluation of properties and loss of view are not material planning considerations.

The fence subject to this application is not considered to affect or cause obstruction to the neighbour's driveway due to its set back location.

RELEVANT POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan (LDP) 2006-2021 which was formally adopted by the Council in September 2013 and

within which the following policies are of relevance:

- Strategic Policy SP2 – Design and Sustainable Place Making
- Policy PLA1 – Settlement Hierarchy and Urban Management

Supplementary Planning Guidance

SPG02 - Householder Development

National Planning Policy and Guidance

National planning guidance in the form of Planning Policy Wales (Edition 10, December 2018) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. Technical Advice Note 12 – Design (2016)

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

APPRAISAL

The application is referred to Committee to enable consideration of the objections received from local residents.

The main considerations in the assessment of this application are the impact of the development on the character and appearance of the existing dwelling and street scene, impact on neighbouring amenities and highway safety.

Impact on character and appearance of existing property and street scene

The application seeks to retain the fence located above the existing wall which is located to the side and rear of the property and which lies adjacent to the main road known as

Bridgend Road. It is noted that the fence subject of this report lies within close proximity to the main highway and occupies a prominent corner position along Bridgend Road. The fence has been erected to protect the privacy of the occupiers of the dwelling when using the rear garden area. Whilst the fence in question is highly visible within the street scene, its visual impact is reduced by the existing stonewall and it is considered that its design and scale is domestic in nature and appearance. It is not uncommon to see such means of enclosures erected within a residential area. Accordingly, it is considered that the design, scale and materials used in the development reflect those of similar developments in the area and are in keeping with the character and appearance of the existing dwelling. Therefore the development has no significant adverse visual impact on the street scene which accords with Policy SP2(2) and SP2(3) of the BLDP(2013).

Impact on neighbouring amenities

The application site is located at the end of Crown Row and the position of the side fence in question is located on the southern boundary of the property adjacent to the main highway of Bridgend Road and set away from any neighbouring property.

With regard to the fence that has been erected along the rear boundary of the property, it is considered that the overall height of this fence should be reduced due to highway safety concerns to match the height of the existing side wall and therefore, whilst the concerns of the neighbours are noted, the location of the fence is not considered to have a significant adverse impact on the amount of light received by any of the neighbouring properties. The photographs below shows the relationship of the existing side and rear fence subject to this application with the neighbouring property known as 11 Crown Row:

Figure 3 – Photographs of side and rear fence in relation to neighbouring property



Due to the side location, its position fronting the main highway and the reduction in the height of the rear fence, it is considered that the development has no significant adverse impact on the amenities that the neighbouring properties currently enjoy and therefore the development accords with Policy SP2(12) of the BLDP(2013) and the Council's Supplementary Planning Guidance SPG02: Householder Development.

Highway Safety

The Transportation Officer has assessed the submitted scheme and has noted that the historic images of this site show that there was a vehicular access to accommodate off-street parking for this property.

The fence currently blocks up that vehicular access and removes the off-street parking which the property has historically benefitted from. As a result, there is a concern that the

fence results in vehicles associated with the property having to park on-street in the turning head of the road adjacent to the property, to the detriment of highway and pedestrian safety. In order to address the above concerns, it is considered necessary to attach a condition requiring the section of fence which has been constructed over the historic vehicular access on the western boundary to be reduced in height and converted into a gate arrangement which will allow vehicles to park off-street and out of the turning head to accord with Policy SP2(6) of the BLDP (2013) and the Council's Supplementary Planning Guidance SPG17: Parking Standards.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and does not have a significant adverse visual impact on the character and appearance of the existing dwelling or street scene nor so significantly harm neighbours' amenities or highway safety subject to conditions. The concerns raised by the neighbours are acknowledged however, in this case and on balance, they are not considered to so outweigh the other material considerations of the development such as to warrant refusal on those grounds.

RECOMMENDATION

(R64) That permission be GRANTED subject to the following condition(s):-

1. The development shall be retained as shown on the Site Location Plan, photographs and details received on the 6 July 2020 and subject to condition 2.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Within three (3) months of the date of this consent, the fence along the western boundary shall be converted to a gate and reduced in height to the height of the existing wall for a distance of 2 metres measured from the northern boundary wall. The gated vehicular access shall thereafter be retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

JONATHAN PARSONS
GROUP MANAGER PLANNING AND DEVELOPMENT SERVICES

Background Papers

None