

## RECOMMENDATION : REFUSE

**REFERENCE:** P/15/125/FUL  
**APPLICANT:** MR I WILLIAMS  
41 MERTHYR MAWR ROAD BRIDGEND  
**LOCATION:** 41 MERTHYR MAWR ROAD BRIDGEND  
**PROPOSAL:** RETENTION OF FENCE TO FRONT AND SIDE OF PROPERTY  
**RECEIVED:** 25th February 2015

### APPLICATION/SITE DESCRIPTION

This application was subject to a panel site visit on 29 April 2015 and subsequently deferred at Committee on 30 April 2015 to enable a full Committee site visit to take place on 10 June 2015.

Reproduced below is a copy of my Report incorporating the Amendment Sheet.

The application seeks retrospective consent to retain a timber fence to the front and side of this semi-detached dwelling. The timber fencing panels have been erected on posts that are situated within the garden area of the dwelling and immediately adjacent to the existing stone boundary wall. The garden is approximately 0.6m higher than the adjacent footpath and highway. When measured from inside the garden the fence panels reach a maximum height of 1.9m.

The dwelling is located on a corner plot immediately next to the junction into St Marie Street, which is a one way road with access off Merthyr Mawr Road.

The area is built up of mainly large detached and semi-detached dwellings with varying sized front gardens. During the site visit it was noted that the majority of front gardens are bounded by low level front walls with metal railings.

### RELEVANT HISTORY

**P/14/833/FUL** APPROVED 06-03-2015  
+conditions  
DEMOLISH EXISTING REAR EXTENSION & GARAGE AND CONSTRUCT A SINGLE  
STOREY REAR EXTENSION

### PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 31 March 2015.

### NEGOTIATIONS

None.

### CONSULTATION RESPONSES

**Town/Community Council Observations**



Notified on 3rd March 2015

Objects to the proposal stating "fencing incongruous to surrounding street scene".

**Councillor Mrs E M Hughes**

Requests that the application be placed before the Development Control Committee. The fence is of good quality and in line with neighbours hedge; not too high and I have had no complaints from anyone. Much better than Leylandii trees that were there.

**Head Of Street Scene (Highways)**

No objection.

**REPRESENTATIONS RECEIVED**

**J M Thomas, 61 St Marie Street**

I fully support this proposal. I am of the opinion that the fence already erected at 41 Merthyr Mawr Road is perfectly acceptable and adds to the appearance of the house in particular and the area in general.

**Mr Ian Williams (Applicant), 41 Merthyr Mawr Road**

The applicant has submitted the following in support of this proposal:-

I feel that the way the boundary walls and fences in the Merthyr Mawr Road and surrounding streets are described is very misleading.

There are many older properties in Merthyr Mawr Road that have high walls fronting on to the street and many of the newer properties have high walls.

I am led to believe that my house which is the oldest house on MMR South once had such a wall but it became unsafe and was removed and replaced with a lower wall.

Planning permission was granted to the last property on Grove Road, a bungalow with a side boundary on to MMR for a wall of over 5 feet.

My next door neighbour at 39 Merthyr Mawr Road has a 2m high low quality fence abounding St Marie Street, it is less than 15 metres from my side fence.

Number 67 Merthyr Mawr Road, has a 2 metre fence fronting on to Merthyr Mawr Road (I feel it is incongruent and would like to complain).

The property known as Austin Friars on the corner of MMR and Bowham Avenue has a 2 metre fence which runs for over 100 metres along Bowham Avenue.

Number 130 Merthyr Mawr Road, has a fence virtually the same as mine running for approximately 20 metre along his boundary on Bowham Avenue (I feel it is incongruent with the surrounding street scene and would like to complain as it hasn't been there 4 years).

Property on the corner of Bowham Avenue and Dilwyn Gardens has a 2 metre fence.

The property on Merthyr Mawr Road, where it joins Brynteg Avenue has a wall of 2 metres.

Properties on Bowham Avenue/Dilwyn Gardens on both sides of the road as it goes into Newbridge Gardens have 2 metre fences directly onto the pavement.

Every property in Preswylfa Court that abound MMR have fences of 2 metres behind low walls.

You actually feature several of the Prysylfa Court properties in your brochure entitled "Planning

& Building Control Information" under the heading "County Borough" where it outlines all the planning policies, amusing, don't you think!

So when it says that the majority of the properties have low level front walls and railings it doesn't really give a true picture of Merthyr Mawr Road.

I also dispute the ridiculous comment "The proposal would set an undesirable precedent for similar development in the area"!

The person who wrote that obviously does not know Merthyr Mawr Road and I think you'll agree that precedents were set before my fence was erected!

I fully intend to appeal any refusal and take my application to keep my fence as far as legally possible and will use all means available to me to highlight that my fence is in no way "incongruous to the surrounding street scene" as the objection from Bridgend Town Council claims and in no way sets a precedent as Mark Shephard claims!

#### **COMMENTS ON REPRESENTATIONS RECEIVED**

With regards to the supporting comments from the applicant, it is considered that the Appraisal section of this report adequately handles the issues raised above. However, where the applicant has detailed breaches of planning, these will be investigated separately.

#### **APPRAISAL**

The application is referred to the Development Control Committee for determination at the request of one of the Local Members, Councillor E Hughes.

The applicant's submission states the fence is required for security and privacy as the front garden is the 'only social amenity as the rear of the house only has a slabbed hardstanding which was once used for car parking'.

The predominant feature of boundaries fronting this part of Merthyr Mawr Road is that they are low and the openness that results from such boundary treatment contributes significantly and positively to the character and appearance of the locality. There are other examples of boundary treatments above one metre, although some are being enforced against while others are immune from enforcement. Such examples do not necessarily justify permitting similar treatment and many illustrate the harmful impact of high enclosures in an otherwise open fronted residential area.

The fence fronting Merthyr Mawr Road creates a visual barrier between primary elevations and the public realm, in a location where the visual cohesiveness that flows from the style of houses and their relationship with the street contributes to the sense of place. It is considered that this harms the overall appearance and character of the street scene.

It is acknowledged that this fence replaces a previous leylandii hedge that was approximately 4m in height, but this was a softer form of boundary treatment than the current fence and does not in itself justify permitting the fence, which causes the harm that has been identified.

This development is similar in nature to other fences in Priory Avenue that have been brought to Development Control Committee, where similar issues were involved. Where these have been appealed to the Planning Inspectorate, the decision of this Authority has been upheld.

Whilst this development is not acceptable in its current form, more sympathetic consideration

would be given to a scheme which sets the fence back 2m from the front boundary on both sides and completely removes the fence fronting Merthyr Mawr Road. A scheme of painting the remaining panels dark green or dark brown to lessen the visual impact would also be required.

Whilst determining this application Policy SP2 of the Bridgend Local Development Plan and Note 7 of Supplementary Planning Guidance 2 were considered.

## **CONCLUSION**

This application is recommended for refusal because the development does not comply with Council policy or Council's guidelines and is detrimental to the visual amenities of the area, contrary to Policy SP2 of the Bridgend Local Development Plan and Note 7 of Supplementary Planning Guidance 2.

## **RECOMMENDATION**

(R30) That permission be REFUSED for the following reason(s):-

- 1 The front facing parts of the fence are, by virtue of their height and siting, visually obtrusive and generally out of character with the existing properties and the open nature of the area and, as such, the fence is contrary to criterion 2 of Policy SP2 of the Local Development Plan and Note 7 of Supplementary Planning Guidance: Householder Development. The proposal would set an undesirable precedent for similar development in the area.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

### **Background Papers**

None