



Appeal Decision

Site visit made on 21 August 2017

by **S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th September 2017

Appeal Ref: APP/Q1445/D/17/3179477

37 Shirley Drive, Hove BN3 6UA

- 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 James Grant against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/06497, dated 15 December 2016, was refused by notice dated 12 April 2017.
 - The development proposed is construction of a 1.78m high wall to front boundary of existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A wall has already been constructed which appeared to be similar to that which has been applied for. Nevertheless, I have dealt with the appeal on the basis that permission is sought for the wall shown on the submitted plans.

Main Issue

3. The main issue is the effect of the wall on the character and appearance of the area.

Reasons

4. Shirley Drive is a tree-lined residential street with a wide grass verge. It is characterised by detached dwellings set back from the road in good-sized plots. Many of the houses are enclosed by boundary walls. Although these vary in height most are low, constructed of brick and part covered by planting. Some incorporate hedges which provide the houses with increased enclosure.
5. The height of some of the walls arises from their function as retaining walls as the houses and front gardens are above road level. This is not the case with No 37 where the wall would enclose a small front garden which is predominantly hard surfacing and there is no vegetation to soften its appearance. The boundary treatments on the eastern side of Shirley Drive in the immediate vicinity of the appeal site are largely constructed of brick. Most are lower than the wall I saw at No 37.
6. Whilst the wall, with its white render, would reflect the contemporary style of the host property, it would not relate well to the boundary treatments that characterise the street as a whole. Its height, colour and stark form would

result in an alien and incongruous feature that would erode the open and softer appearance of the surrounding street scene. From what I saw on my site visit there were no boundary walls that were directly comparable with the appeal scheme, which I have assessed on its individual planning merits.

7. I conclude that the boundary wall would be harmful to the character and appearance of the area. It would therefore conflict with saved Policy QD14 of the Brighton & Hove Local Plan, which requires development to be well designed and detailed in relation to the adjoining properties and the surrounding area. It would also fail to comply with the advice of the Council's Supplementary Planning Document 12: *Design Guide for Extensions and Alterations*, which states that the design and height of boundary walls (including pillars), railings and gates should relate to the character of the surrounding area.
8. For this reason, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR