



Appeal Decision

Site visit made on 5 June 2018

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22 June 2018

Appeal Ref: APP/Q1445/D/18/3198267

3 Ditchling Rise, Brighton BN1 4QL

- 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 Mrs Silvia Sheriden against the decision of Brighton & Hove City Council.
 - The application Ref: BH2018/00181 dated 18 January 2018, was refused by notice dated 28 February 2018.
 - The development proposed is demolition of existing boundary wall to form new single off street driveway space with cross over to public highway.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and of the local area.

Reasons

3. The appeal property is a three storey (plus basement) terraced house with a small front garden behind a low boundary wall, on the north side of Ditchling Rise, close to the junction with Preston Road. This is a one-way street for vehicles with parking bays on either side of the street. The north side of the street is a continuous terrace of similar properties, punctuated by access points through to commercial premises at the rear, adjoining the railway line.
4. A number of properties on the same side of the road have opened up their front gardens to enable the off-street parking of vehicles. I have taken each of these into account, but these are, in my view, in the minority and the predominant pattern of development remains the original layout with small front gardens set behind low boundary walls, albeit the range of styles of these boundary walls is very varied. This layout helps to separate the private domain of the residential properties from the public streetscape and is a characteristic feature of the local area.
5. The proposal would remove the majority of the front boundary wall to enable a car to park in the front garden area. I have taken into account the attention in the proposals to retain elements of the existing boundary treatment and to introduce planting to soften the appearance. However, notwithstanding these proposals, given the dimensions of the front garden area, the introduction of a

parking space into the front garden would necessitate the removal of most of the front boundary wall and the parking space would take up a considerable part of the front garden area. The proposal would result in a material change in the character and appearance of the dwelling, with the front dominated by the parking space. With a vehicle parked in the front garden area, it would mask part of the front bay window at ground floor and detract from the proportions and balanced front elevational appearance. I agree with the Council that this change would be to the detriment of the appearance of the property and in turn to the wider local area, by reducing the separation between the private residential dwellings and the public domain. This harm would be exacerbated given the location of the dwelling, with views of the appeal property and the adjoining properties, when approaching in a northerly direction along Preston Road.

6. I therefore conclude that the proposal would harm the character and appearance of the existing property and of the local area. This would conflict with Policy QD14 of the adopted Brighton and Hove Local Plan and Policy CP12 of the adopted Brighton and Hove City Plan Part One as well as the National Planning Policy Framework, and in particular Section 7, all of which seek a high standard of design which respects the local context. I have had regard to the further policies to which the Appellant has drawn my attention, but none of these, in my view, indicate support for the proposal.
7. I am advised that this proposal follows an earlier proposal which was also refused permission. My consideration is based on the planning merits of the proposal before me. I have noted the absence of issues relating to highways, including the removal of an existing on-street disabled parking space, and the street tree in the reasons for refusal of planning permission, but the harm I have concluded relates to the effect on the character and appearance of the existing dwelling and local area. Furthermore, these issues would be addressed under other legislation, were there no other matters of concern and planning permission were to be granted. I have sympathy with the reasons for seeking the off-street parking space, but this does not outweigh the harm I have concluded.
8. For the reasons given above and having regard to all other matters raised including the representations received, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR