



# Appeal Decision

Site visit made on 30 September 2008

by **S J Emerson BSc DipTP MRTPI**

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

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**Decision date:**  
**3 October 2008**

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## Appeal Ref: APP/Q1445/A/08/2062568 93 King George VI Drive, Hove, BN3 6XF.

- 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 K A C Smith against the decision of Brighton & Hove City Council.
- The application Ref BH2007/03542, dated 20 September 2007, was refused by notice dated 14 December 2007.
- The development proposed is a single storey detached garage.

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### Procedural matter

1. The bundle of plans and illustrative material submitted with the appeal includes a photograph of a garage by the same manufacturer as the garage shown in the application drawing. But as noted on the photograph, that garage is larger than that which is proposed. In addition, I note that the garage in the photograph has a steeper pitch to the roof than that shown on the application drawing, which has a very shallow pitch. The application drawing states that the roof would be clad in profile plastisol steel sheets finished in dark brown. The photograph has a note stating: *colour of the tiles to match house*, but I am not satisfied that the very shallow pitch of the roof shown on the application drawing would be sufficient to satisfactorily accommodate conventional tiles. I have considered the proposal on the basis of the finishes specified on the application drawing.

### Decision

2. I dismiss the appeal.

### Main issue

3. The main issue is the effect on the street scene.

### Reasons

4. The appeal property is at the end of a short cul-de-sac. There are 4 similar bungalows, including No 93, in a broadly symmetrical layout either side of the hammer head of the cul-de-sac. Across the end of the cul-de-sac is the front garden of No 93 and a parking area for No 95. Behind the garden and parking area is a brick wall about 1.4m high, beyond which are the rear gardens of houses in Woodland Avenue. These houses are readily visible from the cul-de-sac and combined with the boundary wall visually enclose the end of the cul-de-sac.

5. The proposed garage would occupy a portion of the front garden of No 93. A hardstanding has already been constructed, which would form the base for the garage. The proposed garage would be a small, free-standing building. It would be a proprietary, prefabricated construction, rather than purpose built in-situ. My understanding is that the walls of the garage would be built from precast concrete panels with a proprietary brick-faced finish. The method of construction would make it hard to achieve a close match to the bricks of No 93 or those of the adjoining boundary wall and the very shallow pitch of the roof and the use of steel sheeting would not reflect the conventional pitched and tiled roofs of the bungalows or the flat roofs of their attached garages. These differences of detail would give the building a distinctive appearance which would contrast unfavourably with the appearance of the surrounding dwellings.
6. The garage would occupy a prominent position at the end of the cul-de-sac, readily visible in public views when passing the end of the cul-de-sac along the main residential part of King George VI Drive as well as when entering the cul-de-sac. The siting of the building would not relate well to the existing layout of the cul-de-sac and its comparatively small scale and the distinctive appearance I have already highlighted would make it appear as an incongruous element in the street scene. As a result, I consider that the proposal would result in modest, but material harm to the street scene. The proposal does not represent good design and thus conflicts with the aim of policy QD1 of the Brighton and Hove Local Plan 2005. The Council refers to conflict with policy QD14 which is concerned with extensions and alterations to the buildings, but since the proposal is for a free standing building, not an extension, this policy is not directly applicable. This harm and conflict with policy is sufficient to dismiss the appeal.
7. There is reference in the appeal representations to the appellant's concern about flooding of his existing garage at the side of his house. I saw that the lowest point of the cul-de-sac abuts the driveway to this garage and thus if the highway drain at this low point overflows then water would flow down the drive and into the garage. However, if such a problem occurs I consider that it should be dealt with by improved drainage and any such problem does not outweigh the harm to the street scene that I have identified.
8. The Council is also concerned that there is insufficient depth in front of the proposed garage to park a car clear of the highway. Even the appellant's very small car would encroach on the footway, most cars would overhang the footway and intrude into the carriageway, to a greater degree if space was left in front of the garage door for it to be opened after parking. Normally, such short driveways are unsatisfactory. But the property already has a drive on which 2 cars can be parked (as well as the existing garage). There is no indication that this driveway is to be removed. Even if the new short drive was to be used for parking it would not cause any material harm to highway safety given that there is little pedestrian use of the footway at the end of the cul-de-sac, vehicle movements are modest, and any overflow parking from driveways already occurs in the hammer head of the cul-de-sac.

*Simon Emerson*

INSPECTOR

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