



Appeal Decision

Site visit made on 24 October 2011

by Jessica Graham BA(Hons) PgDipL

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

Decision date: 26 October 2011

Appeal Ref: APP/Q1445/D/11/2160414

198 Warren Road, Woodingdean, East Sussex BN2 6DD

- 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 N Banks against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/00814, dated 18 March 2011, was refused by notice dated 4 July 2011.
 - The development proposed is the installation of a front boundary wall, fencing and store.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed development has already been carried out. My determination of this appeal proceeds on the basis that planning permission for the development is now sought, in accordance with the details shown on the submitted plans.

Main issue

3. The main issue is the effect that the development would have upon the character and appearance of the area.

Reasons

4. The dwellings on this part of Warren Road are set at a higher level than the street, such that their front gardens slope down toward the road. The majority of them are separated from the public footway by a low retaining wall, so that the front gardens are visible to passers by, and form part of the streetscape. Together with the large open space on the opposite side of the street, this gives Warren Road an attractively spacious character.
5. At some 2.3m high, the boundary wall that is the subject of this appeal is much higher than those of most other nearby properties. The fence above brings the overall height of this new front boundary to 3m above the immediately adjacent footway, precluding any views of the front garden of No. 198. I appreciate that the wall it replaced was also (at least at its eastern end) considerably higher than others nearby, but the evidence of the appellant indicates that this former wall was in two parts, with the top section set back some 0.5m behind the lower, and screened by planting.

6. In my judgment, the boundary treatment for which permission is now sought constitutes a far more visually imposing structure than that which it replaced. It forms an incongruous and overly dominant element in the street scene, creating a sense of enclosure to the adjoining public footway and thereby detracting from the characteristic open character of the area. While I saw that a few other properties have already installed high front boundaries, the evidence of the Council is that none of these have recent planning permission. In any event, their existence cannot justify permitting what I consider would be a harmful form of development at the appeal site.
7. I find that the development conflicts with the objectives of Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005, which seek to ensure that new development makes a positive contribution to the visual quality of the environment, and takes account of the character of the area.
8. I conclude that the appeal should be dismissed.

Jessica Graham

INSPECTOR