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## Appeal Decision

Site visit made on 21 March 2023

**by Philip Willmer BSc Dip Arch RIBA**

**an Inspector appointed by the Secretary of State**

**Decision date: 19<sup>th</sup> April 2023**

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**Appeal Ref: APP/Q1445/D/23/3315721**

**76 Denton Drive, Brighton, Sussex, BN1 8LS.**

- 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 Victor Parks against the decision of Brighton and Hove City Council.
  - The application Ref BH2022/01853, dated 7 June 2022, was refused by notice dated 17 November 2022.
  - The development proposed is described as '*construction of car hard standing at the front of my property*'.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. I consider the main issue to be the effect of the proposed development on the character and appearance of street scene.

### Reasons

3. The appeal property, 76 Denton Drive, is half of a semi-detached two-storey dwelling located within a larger residential area. The dwellings on this side of the road sit well above road level and are generally accessed by steps from the pavement. The front gardens, albeit with the limited established planting and the verges have the effect of 'greening' the street scene in the road.
4. I noted on my visit that one or two properties have off-street parking/garages at street level, but most have on-street parking only, thereby retaining most of the front gardens.
5. The appellant proposes the construction of a hardstanding at street level to the front of the property together with a new crossover and associated engineering works. Form the evidence before me I understand the proposed crossover would be subject to a separate Vehicle Crossover Application.
6. The appellant proposes a 7.1meter-wide hardstanding with a set of steps at either end giving access to path in front of the dwelling at the higher level. Effectively the whole garden frontage of the property would be loss to the new hardstanding and access steps. Although the drawings are limited as to the detail of what is proposed it is apparent that the design does not retain any

soft landscaping to mitigate the loss of the garden, and subject to permission for the crossover the loss of a significant part of the verge.

7. I see from the evidence that the appellant is suggesting the use of grass reinforced mesh to allow for some greening to the hardstanding. However, I am not persuaded that this alone would make a significant contribution to mitigate the overall loss of the original garden and verge.
8. As I saw work has already started resulting in significant excavation works to remove the front garden to this property. Accordingly, the visual impact on the street scene as a result loss of the front garden is clear.
9. I conclude in respect of the main issue, based on what I have seen and read that the crossover, hard standing, significant excavation, and associated engineering works would result in the complete loss of the front garden of the property as well as the loss of the part of the verge adjacent to the highway. The loss of these features would significantly erode the suburban character of the street scene and cause significant harm to the appearance of the property and wider area. To allow the development would therefore be contrary to the objectives of Policy CP12 of the Brighton and Hove City Plan Part One (Adopted March 2016) and Policies DM18 and DM21 of the Brighton and Hove City Plan Part Two (Adopted October 2022) and Supplementary Planning Document Design Guide for Extensions and Alterations SPD12 (Adopted June 2013) as they, amongst other things, address the quality of design, require new development to take account of the existing character of the area.

### **Other Matters**

10. I note from my site visit and the appellant's evidence that there are examples of crossovers, hardstandings and even garages in the Denton drive and surrounding residential streets. Whatever the background to those cases, their existence, even on nearby sites is not an appropriate justification for permitting that proposed here.
11. The appellant has drawn to my attention concerns relating to his negotiations with the Council and the apparent delay in issuing the planning decision. These are however not relevant to my consideration of the planning merits of this appeal.

### **Conclusions**

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Philip Willmer*

INSPECTOR