

Appeal Decision

Site visit made on 17 August 2023

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14TH September 2023

Appeal Ref: APP/Q1445/D/23/3325298

49 Falmer Road, Rottingdean, Brighton, BN2 7DA

- 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 Mike Evans against the decision of Brighton & Hove City Council.
 - The application Ref BH2023/00874, dated 22 March 2023, was refused by notice dated 17 May 2023.
 - The development proposed is the erection of single storey garage and carport to front and the erection of fencing above existing brick wall to front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

Character and appearance

3. The appeal property is a sizeable two-storey detached home with generous garden and a driveway down the side to a rear garage. Frontage levels are below the well-used Falmer Road. The highway has broadly similar properties along the stretch southwards on the west side and open countryside to its east. The locality is of well-established character; a generally loose residential suburban edge with a pleasing relatively open streetscene. The proposal is as described above.
 4. I touch on the spaciousness of the locality above and one of the contributing factors to this is the generally set-back building line along this stretch allied with the fields across the road. Undeveloped front gardens, albeit often behind frontage walls or fencing, but nevertheless generally open to some passing views, contribute positively to the aesthetic qualities of the area. Even with barn hips and a relatively low degree of pitch, the planned garage and carport would be a sizeable structure. I appreciate the lower floor levels embodied in the plans and the propositions for planting and fencing but nevertheless, regrettably, the scheme would be an alien unduly bulky structure in terms of this forward position. It would not be sound long-term planning to rely on planting as screening an inappropriate development, and I shall touch on wall/fence screening below. The proposed structure would be incongruous and
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jarring on the eye, lying appreciably forward of the building line, out of character with the area.

5. I note that in addition to the garage building itself the Council is also concerned about what would, in effect, be a 'full height' wall and fencing running along the back edge of the footway. This part of the overall proposal also troubles me. I recognise that there are other full screens at a few of the local homes but I find they do not add positively to the scene, I do not know of their planning history, and I am not persuaded they should be replicated. The most successful frontages are where there is a mix of lower hard finish boundaries and soft landscape at or behind these. I feel the planned 'screening' would be harmful to the streetscene and that adds to my concerns over the appeal project as a whole.
6. Policy CP12 of the City Plan Part One and Policy DM21 of the City Plan Part Two are relevant. Taken together and amongst other matters, these policies seek well designed and suitably sited development that should protect the urban grain and character of an area. In all the circumstances I conclude that the appeal scheme would conflict with these planning policies.

Other matters

7. I do understand the Appellant's wish to add further garaging and I can see that thought has been given to matters such as external materials and roof form. I appreciate that the Appellant has sought to overcome concerns expressed by my colleague earlier this year (APP/Q1445/D/22/3307081) but regrettably the alterations are not sufficiently radical to sway my findings. I did not observe any other examples of development which were directly comparable in terms of location and form or should be seen as a design benchmark and, in any event, I must determine this case on its merits. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
8. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR