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# Appeal Decision

Site visit made on 23 January 2017

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 09 February 2015

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## **Appeal Ref: APP/Q1445/D/16/3163882**

### **1 Downsview Avenue, Brighton, East Sussex, BN2 6BP.**

- 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 Hugh Mullings against the decision of Brighton and Hove City Council.
  - The application Ref BH2016/02772, dated 16 August 2016, was refused by notice dated 25 October 2016.
  - The development proposed is described as the erection of fencing above brick wall on one side of 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 the host property, the street scene and the character of the area.

### **Reasons**

3. The property the subject of this appeal, 1 Downsview Avenue, is a detached dwelling located on the corner of Downsview Avenue and Midway, within a built up residential area. This property and those in the immediate area are generally set behind low boundary walls, characteristic of the style and age of the properties. These walls are constructed of a variety of materials, including, as at number 1, brick, but also amongst other things flint, blockwork and render. Occasionally decorative ironwork panels have been added.
4. Due to the property's location in the street, its siting and orientation on the plot, it is prominent in the street scene. The private amenity space, which is limited in any case, is both open to view from the public realm and lacks security. The appellant proposes an increase in the height of the boundary wall facing Midway by adding brick pillars with feather edged boarding infill between. Although the drawings are not to scale or dimensioned, it would nevertheless appear that it is intended to virtually double the height of the existing wall.
5. From my observations on site, timber boarding is not a typical material used in the formation of boundary treatments to the public realm in this location. Accordingly, in my judgement, its introduction here would appear as a jarring

alien element, detrimental to both the appearance of the host property and the street scene.

6. I consider, because of the significant increase in height of the wall/fence proposed, the introduction of solid infill boarding and the property's prominent location on this corner plot, that as well as being out of character the wall as altered would be a visually intrusive and dominating feature. This would cause visual harm to the host property, the street scene and thereby the character and appearance of the wider area.
7. Although sympathetic of the appellant's desire to screen what is now his rear garden and improve the security of the property, I nevertheless conclude in respect of the main issue that the proposed development, as designed, would cause harm to the character and appearance of the host property, the street scene and the character of the area. I consider this to be a compelling objection in this case. As a result it would fail to accord with Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) and guidance within Supplementary Planning Document SPD 12—*design guide for extensions and alterations* (adopted 20 June 2013) as they relate to, amongst other things, the quality of development and the protection of the visual amenity of the parent building and the surrounding area.

#### **Other matters**

8. There may of course, as suggested by the appellant, be other ways in which to provide the screening that he desires. However, these would be for the Council to consider in the first instance.

#### **Conclusions**

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

*Philip Willmer*

INSPECTOR