
Appeal Decision

Site visit made on 8 February 2022

by J Wilson BA (Hons) BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 16 FEBRUARY 2022

Appeal Ref: APP/K1128/D/21/3288709

12 Higher Warren Road, KINGSBRIDGE, TQ7 1LG

- 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 Ben Matley against the decision of South Hams District Council.
 - The application Ref 2878/21/HHO, dated 19 July 2021, was refused by notice dated 28 September 2021.
 - The development proposed is for the retrospective application of horizontal weatherboard cladding to existing dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the retrospective application of horizontal weatherboard cladding to the existing dwelling at 12 Higher Warren Road, KINGSBRIDGE, TQ7 1LG in accordance with the terms of the application, Ref 2878/21/HHO, dated 19 July 2021, and the plans submitted with it.

Preliminary Matter

2. The works have been carried out and I have dealt with the appeal on that basis. For clarity parts of the elevations are detailed in render and part in weatherboard cladding.

Main Issues

3. The main issues are the effect of the development on: a) the character and appearance of the area; and b) the effect of the development on the South Devon Area of Outstanding Natural Beauty (AONB).

Reasons

Character and Appearance

4. The area is characterised by low density individual housing of varied design set on generous plots.
5. Planning permission was granted in 2021 for renovations and alterations. That consent originally specified cladding but was altered to require rendered external finishes to the dwelling. This appeal proposal seeks to employ the originally submitted materials, albeit retrospectively, to incorporate external Cedar cladding (a fibre cement product mixed with synthetic fibres) to the majority of the external elevations. The key factor is whether the cladding is harmful in the context of the property and its location with the AONB.

6. The Council contend that the use of this type of cladding is not utilised sufficiently to be regarded as part of the towns character or style. Rather that it contributes to an incremental erosion of the character of the built form in the locality. Conversely, the appellant says that the use of render throughout would lead to a bland and uninspiring dwelling that would lack detail and articulation. Moreover, as the site is relatively exposed to the elements the cladding would provide a robust and resilient external treatment.
7. Policies DEV20 and DEV23 of the Plymouth & South West Devon Joint Local Plan (JLP), require development to meet good standards of design and maintain an area's distinctive sense of place as well as reinforcing local distinctiveness. I have carefully balanced these arguments. However, consider that the pale grey cladding provides a contrasting detail between the slate grey roof and the white render. This palette of materials does not make the building stand out to any greater extent than those that surround it particularly given it is encircled on three sides by other white rendered buildings.
8. It is always a matter of planning judgement as to whether a design is sympathetic to local character. However, given the muted colour which has been used and the context of this building within a residential setting I conclude that the cladding is neither incongruous nor unduly prominent in the street scene or in the wider landscape.
9. Taking these matters together the development would not conflict with Policies DEV20 or DEV23 of the JLP or to the design aims of the National Planning Policy Framework (the Framework). These Policies seek to ensure that development is visually attractive and locally distinctive and improves the quality of the built environment.
10. In reaching this view I have had regard to the content of the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan (KWACNP) which has been referred to in the decision notice. However, that document has not yet reached the stage where it is part of the Development Plan and the weight that can be attached to the policies contained within it is limited. Nonetheless Policy BE3 of the KWACNP relates to design quality and as such is generally consistent with the design aims of the Framework.

Area of Outstanding Natural Beauty

11. The site lies within the AONB and abuts the edge of the Undeveloped Coast policy area. The Framework states that within AONBs great weight should be given to conserving and enhancing landscape and scenic beauty and the conservation and enhancement of wildlife and cultural heritage. However, the existing property is set within the context of other housing which would be read together in longer distance views. In this context the difference between the render and cladding, which is relatively pale in colour, would be nominal and would not in itself have a material impact on the wider landscape setting of the AONB or the Undeveloped Coast policy area. Therefore, the appeal proposal would not conflict with Policies DEV23 or DEV25 of the JLP.

Other Matters

12. It has been argued that the use of similar cladding has been undertaken on a number of properties locally with examples given in evidence. I saw these examples on my site visit and note the Councils argument that these are not

prevalent on Higher Warren Road but on properties with a different site context. Moreover, the Council say some of these examples were either undertaken prior to the current local plan or have been installed without the benefit of the appropriate consents. That may be so, though I note that in several instances the colour choices of cladding elsewhere in the locality are more prominent. Even so I have considered the scheme in relation to its own context and considered the prominence and context of the appeal site in reaching my decision. These other examples are not such that they warrant my reaching an alternative conclusion.

13. Representations have been received both in support and against the development with matters raised including: ignoring planning regulations; that the cladding is inappropriate; that there was a preference for the original external finish and that there is abundant external lighting. I have already assessed and come to a view on the cladding for the reasons already given. The other matters are unconnected with the subject of the appeal and therefore outside its remit. They are matters which are, in the first instance, for the Council.
14. The appellant cites an appeal elsewhere in the district where cladding has been allowed stating that this sets a precedent. That appeal is noted however each appeal has to be determined on its own merits and it is the context of each scheme which is crucial rather than by way of comparison to other appeal decisions which may have a different context.

Conditions

15. The Council has suggested conditions relating to a statutory timeframe for commencement, to a matching materials condition and to a requirement to comply with the approved plans. However, as the development is complete it is not necessary for these conditions to be imposed.

Conclusion

16. For the above reasons and having regard to all other matters raised the appeal is allowed in the terms outlined above.

J Wilson

INSPECTOR