



Appeal Decision

Site visit made on 21 March 2023

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/N1730/D/23/3315528

8 Priory Lane, Hartley Wintney RG27 8EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mrs Karen Stringer against the decision of Hart District Council.
- The application Ref 22/02144/AMCON, dated 16 September 2022, was refused by notice dated 9 November 2022.
- The application sought planning permission for the demolition of a garage, the erection of a single storey side extension, a replacement front porch and to widen the driveway, without complying with conditions attached to planning permission Ref 20/02403/HOU, dated 3 December 2020.
- The conditions in dispute are Nos. 2 and 3 which state that:
 - 2. The development hereby approved shall be carried out in accordance with the following plan numbers:
 - Dwg no. 20-8PL-PL-00.1 – Proposed Site Location and Block Plans
 - Dwg no. 20-8PL-PL-01.2 – Proposed Floor Plans
 - Dwg no. 20-8PL-PL-02.2 – Proposed Elevations.
 - 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building, unless otherwise agreed in writing by the Local Planning Authority.
- The reasons given for the conditions are:
 - 2. To ensure that the development is carried out in accordance with the approved plans and particulars.
 - 3. To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy policy NBE9 of the Hart Local Plan 2032 and saved policy GEN1 of the Hart Local Plan 2006.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of a garage, the erection of a single storey side extension, a replacement front porch and to widen the driveway, at 8 Priory Lane, Hartley Wintney RG27 8EX, in accordance with the application, Ref 22/02144/AMCON, made on the 16 September 2022 and the drawing Ref 20-8PL-PL-02.2 Rev A, without compliance with the conditions previously imposed on the planning permission Ref 20/02403/HOU granted on 3 December 2020 by the Council.

Main Issue

2. The main issue in this appeal is the effect of the facing materials used to construct the porch and side extension on the character and appearance of the host dwelling and streetscape.

Reasons

3. The host dwelling is a two storey semi-detached property where the development together with the facing materials the subject of this appeal has already been built. Nevertheless, I must still base my decision purely on the planning merits of the case. The tiles on the main roof of the house have a dark brown appearance due to exposure to the weather, although they appear to have been red originally. The walls of the main part of the dwelling comprise red brick.
4. The tiles on the porch and side addition are grey. However, the colour is fairly subdued and reasonably dark. The timber cladding is relatively light and provides a degree of contrast with the red brickwork. However, the latter is not overly dark and, in any event, the approved scheme included black cladding, therefore implicitly acknowledging acceptability of the principle of contrasting materials in the extensions. It is likely that over time both the tiles and cladding will become darker with exposure to the weather.
5. The timber is a less solid material than the adjacent bricks and therefore assists in ensuring that the fairly modestly sized additions appear subordinate to the host dwelling. The development comprises discrete enlargement of the original property with noticeably lower and separate roofs, rather than continuing existing roofs on the same lines. This gives significant scope for variation in the facing materials.
6. There are noticeable differences in the materials used in the street. Even immediately adjacent properties of the same design often have different roof tiles, with some having a flat profile and others having ridges. There are also fairly prominent examples in the street of the use of timber in garages, car ports and sheds and render is a relatively common material. Towards the end of the cul de sac there are two dwellings with grey roof tiles that are fairly similar in colour to those used at the appeal site.
7. In the above circumstances the grey tiles and attractive natural timber cladding do not provide an unacceptable contrast with the external materials found in the original property. They comprise harmonious and sympathetic materials that are compatible with the context and do not appear unduly prominent or incongruent.
8. The materials have therefore not resulted in harm to the character and appearance of the host dwelling or streetscape. There is compliance with Hart Local Plan (Replacement) 1996-2006 Saved Policies, Policy GEN 1 (i), which is concerned, among other things, with ensuring that development is in keeping with the local character by virtue of its materials. The development is of a suitably high quality of design and the building materials reflect the distinctive qualities of the surroundings, in accordance with these aims of Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032.
9. As the development has already taken place and is acceptable, a condition specifying the approved plans is not needed. For the same reason a materials condition is also unnecessary. The Council suggests that the materials should be maintained in their existing condition. However, this would be an unduly onerous requirement for a property that is not subject to any particular designation such as a Listed Building or a Conservation Area.

10. As a result of the above conclusions and taking account of all other matters raised, it is determined that the appeal succeeds. As a result, a new planning permission is granted which is not subject to any conditions.

M Evans

INSPECTOR