



Appeal Decision

Site visit made on 21 May 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 07.06.2024

Appeal Ref: APP/D1590/D/24/3338288

53 Woodcote Road, Leigh-on-Sea, SS9 3NP

- 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 Nash against the decision of Southend-on-Sea City Council.
 - The application Ref 23/01496/FULH, dated 18 September 2023, was refused by notice dated 22 November 2023.
 - The development proposed is install cladding to rear dormer (retrospective)
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application form described the proposed development as "Case No 23 00157 UNAU B for dormer cladding, change of colour of existing render". The council changed this to the description used in the heading above. I have adopted it as it more clearly identifies the development proposed.

Main Issue

3. The main issue in this case is the effect of the materials used on the dormer on the character and appearance of the existing building, and the area.

Reasons

4. The appeal site is a semi-detached two-storey dwelling, situated in a residential area consisting of two-storey dwellings of similar form and of generally traditional design and appearance. The appeal dwelling has been altered from a hipped-roof form, general to the area, to have a gable with the dormer across the now extensive rear roof slope. The dormer occupies much of the back of the roof, with the eastern cheek (facing the unattached neighbour) extending close to the gable verge. At the time of my visit, the cheek was clad in dark grey cladding, as was the gable itself. The application drawing shows that the intention is to paint the gable to match the colour of the render below (which is white and extends to all the ground and first floors, except on the rear ground floor extension).
5. It is only the cladding on the dormer that is the subject of the appeal. I see that the officer's report on the application notes that although the works to the roof have likely been undertaken as permitted development, no certificate of lawfulness has been submitted to seek to confirm this position. That is not a

matter before me, but it is pertinent to recall that the permitted development right for additions to a roof Class B, (up to 50 m³ in the case of a semi-detached house) is subject to the condition that its materials are to be similar in appearance to the existing house. In the absence of a certificate of lawfulness, I have no knowledge of whether or not the roof enlargement on the appeal property meets the terms of the regulation (other than in respect of materials), but that is not a matter before me.

6. A development that comes within or near the maximum allowed by this permitted development right will usually become a significant feature on the dwelling, and may well, as in this case, have something of a dominating effect on the building – hence the condition regarding materials. The appellant's appeal statement, at '06. Material Finishes', seeks to illustrate that black cladding (as built) (although the colour is more 'dark grey' as identified on the plans) in fact reduces the overall impact. Clearly this is a matter of perception and judgement. The other materials and colour illustrated are 'tile hung' and 'white render'.
7. In my judgement, the illustrations just mentioned clearly show that white render matching the existing finish on most of the house, is less intrusive than either tile hanging or the dark grey cladding. White does little to reduce the apparent volume of the dormer, but it does integrate it into the character and appearance of the building to a greater and more pleasing extent.
8. The appeal statement of case also illustrates numerous other examples of cladding within the local area. These are not persuasive of the appellant's case, and I note that the majority of them show white or light-coloured cladding, with only 2 having a colour close to that on the appeal development.

Conclusions

9. I have taken account of all matters raised. I do not agree with the appellant's contention that the cladding of the dormer meets the requirements of policy DM3 of the Development Management Document (2015). DM3(i) states '*where appropriate enhances the original building and ensures successful integration with it.*'; and DM3 (iii) '*where alternative materials and detailing to those of the prevailing character of the area are proposed, the council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design*'. In my view, the cladding does not meet the requirements of this policy. I appreciate that the colour of the cladding reflects the colour of the ground floor rear extension roof, but that is a relatively unobtrusive element of the house, and not an appropriate guide to the colour for a large and intrusive addition to the roof.
10. For the reasons that I have set out, I conclude that the use of dark grey cladding on the dormer appears as incongruous and inappropriate, at odds with the character and appearance of the house and the area. Therefore I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR