



Appeal Decision

Site visit made on 28 July 2025

by **A Hartley, LLB (Hons), Solicitor, MBA**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/A4520/D/25/3367325

18 Hiram Drive, East Boldon, South Tyneside NE36 0TA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 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 Mr A. Robson against the decision of South Tyneside Council.
 - The application Ref is 250052.
 - The application sought planning permission for a proposed single storey rear extension, porch to front and render to all elevations without complying with a condition attached to planning permission Ref ST/0509/24/HFUL dated 13 December 2024.
 - The condition in dispute is No 2 which states that: *The development shall be carried out in accordance with the approved plan(s) as detailed below:
Proposed Elevations Page 04 Revision 1 – received 27.11.2024
Proposed Plan Page 03 Floor and Roof Plans Revision 1 – received 27.11.2024
Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.*
 - The reason given for the condition is: *In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.*
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Decision

1. The appeal is dismissed.

Preliminary Issues

2. Planning permission was originally granted for the works outlined above. The dispute is in respect of condition 2, which requires the development to be carried out in accordance with the approved plans. The appellant wishes to vary this condition to replace the approved plans. The submitted plans indicate a larger extension with increased levels of timber cladding.
3. Planning Practice Guidance (PPG) sets out that an appeal under Section 73 of the 1990 Act will consider only the disputed condition(s). I have approached the appeal on that basis.
4. There is no dispute in respect of the enlarged extension. I have no reason to disagree with those findings. Therefore, the focus of this appeal relates to the proposed timber cladding to the side and front elevations of the property.

Main Issue

5. The main issue is the effect that varying the condition would have on the character and appearance of the host property and the surrounding area.

Reasons

6. The appeal property forms the left-hand half of a pair of two-storey semi-detached houses, presently of red brick facing material. It is situated at a prominent corner within the street scene, at the junction of Hiram Drive with Alison Drive. The existing planning permission permits the change of the facing materials from brick to render, with timber cladding limited only to the rear single storey extension and a small area of timber cladding on the side elevation. The appeal proposal would increase the extent of timber cladding to the side and front elevations at ground floor level.
7. Within the surrounding area, the facing materials and design of properties are varied. However, during my site visit I noted that the use of render and brickwork prevails. Whilst there is an example of white timber cladding at first floor level of the neighbouring property, I find that this appears as a discordant feature in the street scene. Moreover, I have no substantive evidence before me of the planning history of that property and its alterations. In any case, it does not justify a departure from the prevailing character at the appeal site.
8. The introduction of the extent of timber cladding proposed, particularly to the front and side elevations of this prominent corner plot, would create a highly conspicuous and incongruous feature in the street scene that would harmfully depart from the identified local character.
9. Consequently, I conclude that the proposal would result in harm to the character and appearance of the host property and the surrounding area. This is contrary to Policy DM1(A) of the South Tyneside Local Development Framework (2007) – Development Management Policies (2011). This requires, amongst other things, that alterations to existing buildings are designed to convey sensitive consideration of their surroundings and reinforce local identity, having particular regard to use of materials. This is in a similar vein to the South Tyneside Supplementary Planning Guidance Document – Householder Developments (SPD9) (2010, revised 2014) and the National Planning Policy Framework insofar as good design that is sympathetic to local character is concerned.

Conclusion

10. For the reasons given above I find that the development conflicts with the development plan when read as a whole. There are no material considerations that have been shown to carry sufficient weight to indicate a decision otherwise than in accordance with it. I therefore conclude that the appeal should be dismissed.

A Hartley

INSPECTOR