

PLANNING APPEAL STATEMENT

LPA REF : SMD/2022/0019

APPELLANT : MRS JOANNE JOHNSON

**ADDRESS : WILLOW HOUSE, 57 OSTLERS LANE,
CHEDDLETON, STAFFORDSHIRE, ST13 7HS**

**PROPOSAL : FITTING OF AGATE GREY
COMPOSITE CLADDING TO THE UPPER HALF
OF THE FRONT ELEVATION OF THE PROPERTY**

DATE : JULY 2022

JOB No. : 2022-2677

1.0 INTRODUCTION

1.1 This statement sets out the appellants' case in respect of an appeal under S78 of the Town & Country Planning Act 1990 (as amended) against the refusal by Staffordshire Moorlands District Council to grant planning permission for the retention of agate grey cladding to the upper half of the front elevation of the property at Willow House, 57 Ostlers Lane, Cheddleton.

1.2 The appeal application, which comprised of the application form, drawing numbers 2022-2677-01 (Existing Conditions), 2022-2677-02 (Proposed Part Floor Plan and Elevations), 2022-2677-03 (Location and Block Plan), Post Cladding Photo 1, Post cladding Photo 2 and Pre-Cladding Photo was submitted to Staffordshire Moorlands District Council on the 14th January 2022 and validated on 1st March 2022 under application number SMD/2022/0019. The appeal application was refused on the 26th April 2022 for the following two reasons:-

1. Agate grey composite timber cladding is not deemed an appropriate material to use on the visible principal elevation of the dwelling, as it is incongruous and out of keeping with the surrounding area. According to the adopted Staffordshire Moorlands Design Guide timber is not a traditional material used within domestic settings in the Staffordshire Moorlands, thus its installation does not respect the building which it is on, or the surrounding setting. Therefore, the works do not comply with Policy DC1 of the Staffordshire Moorlands Local Plan and the Staffordshire Moorlands Design Guide SPD.
2. The demolition of the original bay window on the principal elevation of the dwelling and addition of a small front extension means that this important focal point of ornamentation has been removed and the visual aesthetic of the house has become less pleasing. The Council believe that the removal of the bay window and addition of the extension, coupled with the inappropriate cladding to the principal elevation and other changes to fenestration contribute to the character of this inter-war dwelling being lost. Therefore, the works do not comply with Policy DC1 of the Staffordshire Moorlands Local Plan and the Staffordshire Moorlands Design Guide SPD.

1.3 Both reasons for refusal therefore relate to the impact the appeal development has upon the character and appearance of the appeal dwelling and the surrounding area. The case for the appellant in respect of the above grounds for appeal are set out in detail in section 5 of this statement.

2.0 APPEAL SITE & SURROUNDING AREA

2.1 The appeal building originally comprised of a detached two storey dwelling constructed from red facing brickwork and render under a plain clay tile roof (see pre-cladding photo as provided as part of the application submission). As the appeal relates to retrospective development the work has already been undertaken and the upper half of the front of the appeal building clad with an agate grey horizontal cladding (see post cladding photo as provided as part of the application submission).

2.2 The appeal dwelling sits within a broadly rectangular plot on the eastern side of Ostlers Lane. It lies within a predominately residential area within a long ribbon of development on this side of the lane. To the north west, on the opposite side of the highway, lies St Edwards First School, with its playing fields to the south, directly opposite the application building. For the purposes of the adopted Development Plan the appeal site lies within the development boundary of Cheddleton where there is a general presumption in favour of development.

3.0 THE APPEAL PROPOSAL & BACKGROUND

3.1 The appeal proposal seeks retrospective consent for the fitting of agate grey horizontal cladding to the upper half of the front elevation of the dwelling. The application was submitted following receipt of a letter from the Council's enforcement section advising the appellant that the works required the benefit of planning permission and inviting an application to be submitted. A copy of the letter is attached as Appendix 1 to this appeal.

3.2 The council's delegated officer report (copy attached as Appendix 2) identifies a number of other "material alterations" to the front of the elevation, including but not limited to the demolition of the ground floor front bay window and extending outwards with a single storey front extension and adding overhanging barge boards to the middle gable. Whilst these alterations were not included as part of the application and did not form of the description on the application form they were considered to be "an integral part of the development operation which has taken place" by the planning officer and assessed as part of the application. The description of the development was not amended by the case officer to reflect these changes.

3.3 Whilst the appellant accepts that it is no defence, they would like the Planning Inspectorate to bear in mind that they visited a website in order to assess whether planning permission was required or not (copy attached at Appendix 3). Whilst this clearly outlined a number of certain scenarios where planning permission may be required such as a

National Park, an Area of Outstanding Natural Beauty, a listed building or conservation area, it was considered, given that the appeal site lies in none of the designations listed, that planning permission was not required.

4.0 PLANNING POLICIES & GUIDANCE

4.1 Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises of the Staffordshire Moorlands Local Plan (adopted September 2020). The following policies of the Local Plan area considered relevant to the application proposal:-

4.2 Policy SS1 Development Principles and Development and SS1a Presumption in Favour of Sustainable Development. In accordance with policies SS1 and SS1a the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposal, the Council, will take a positive approach that reflects the previous in favour of sustainable development contained in the NPPF.

4.3 Policy SS2 sets out a hierarchy of settlements reflecting the roles, function and capacity of individual settlements. This hierarchy will ensure that the aims and objectives of the Local Plan and the proposed development approach are properly met through an appropriate balance of development. It will also provide a spatial context for the co-ordination of the plans, strategies and initiatives of the various service providers and agencies with an interest in the Staffordshire Moorlands. The larger settlements, of which Cheddleton is one are considered to be the most sustainable settlements in the rural areas which generally have a good local social infrastructure, some local employment opportunities and good accessibility to the towns and larger centres. These villages also have an important role in terms of serving and supporting their immediate surrounding rural areas and smaller villages. The spatial strategy focuses the bulk of the rural development in these settlements and seeks to ensure that they are sustained and promoted as service centres. These settlements will be defined by a Development Boundary. It is recognised that there is a significant range amongst these villages in terms of their size and facilities and it is proposed therefore that the scale of development in each area should be relative to their current size and infrastructure capacity

4.4 Policy SS8 provides more detailed guidance in terms of the larger villages areas strategy and amongst other things seeks to ensure that new development reflects and enhances each village's special character.

4.5 Policy DC1 of the Local Plan states that all new development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD. In particular, new development should, amongst other things, be of a high quality and add value to the local area incorporating creativity, detailing and materials appropriate to the character of the area, be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.

4.7 Policy T1 of the Local Plan states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plans, where this is consistent with other policies.

4.8 Staffordshire Moorlands District Council's adopted Design Guide SPD (Feb 2018) sets out the importance of good design and high quality development and identifies that requirements of the design guide are a material consideration in all relevant planning considerations.

National Planning Policy and Guidance.

4.9 The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision for sustainable development which should be interpreted and applied in determining planning applications/appeals. The NPPF seeks to secure the delivery of sustainable development and set out guidance, inter-alia, in respect of safeguarding the Green Belt and securing high quality design. The content of the NPPF has been taken into consideration during the preparation of the appeal application and this statement and in the interests of brevity is discussed in more detail, where relevant, below.

5.0 CASE FOR THE APPELLANT

5.1 Turning to the first reason for refusal the council consider that the agate grey composite timber cladding is not deemed an appropriate material to use on the visible principal elevation of the dwelling, as it is incongruous and out of keeping with the surrounding area. The first point to make about this statement is that the cladding is not composite timber but composite uPVC. A technical manufacturers specification which provides more details for the cladding used on the appeal building is attached at Appendix 4.

5.2 The first reason for refusal goes on to state that “according to the adopted Staffordshire Moorlands Design Guide timber is not a traditional material used within domestic settings in the Staffordshire Moorlands, thus its installation does not respect the building which it is on, or the surrounding setting. Therefore, the works do not comply with Policy DC1 of the Staffordshire Moorlands Local Plan and the Staffordshire Moorlands Design Guide SPD.” The case officers delegated report provides further explanation stating that “the materials used in the construction of the principal elevation do not match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. Although the surrounding street scene is comprised of a varied selection of house types, a prominent feature of the street scene is the brick and render used in the construction of the dwellinghouses. These are materials which are typical of the inter-war detached and semi-detached houses that characterise Ostlers Lane. Agate grey composite cladding has been fitted to the upper half of the principal elevation of the property and white render has been used on the bottom half. Although the white render is deemed appropriate, the agate grey composite cladding is not considered appropriate or to be in character with the host dwellinghouse or the surrounding street scene.”

The appeal property is a two storey detached dwelling which forms part of a ribbon of development on this side of Ostlers Lane. Whilst the council consider Ostlers Lane to be “characterised” by inter war detached and semi detached dwellings it is clear that there is a wide and varied mix of building forms and styles. The properties which form the northern part of Ostlers Lane (number 9 to number 41) comprise of pairs of modest semi inter war detached dwellings. Whilst their general form and scale are comparable there is still significant variation with some comprising of facing brickwork, others smooth painted render and some pebbledash render. The fact that some of these properties have been extended and have varying details in terms of porches, projecting two storey bay windows, side extensions, replacement windows etc further adds to their interest and means that there is a wide and varied character to the street scene at this point. The photo below shows numbers 9 & 11 at the start of Ostlers Lane with their differing facing materials and permitted extensions:



The photograph below shows the properties at the mid point of Ostlers Lane again with distinct variation not only in terms of building styles with some having two storey projecting gables and different porch designs but also in terms of materials and design i.e. red and blue roofing tile, differing render treatments, different window styles and materials, use of render and timber on gable of two storey projecting gables.



Similarly the 4 properties immediately to the north of the appeal site comprise of larger detached dwellings which sit within more substantial plots. Again these are all different in terms of their form and style. The property immediately adjacent to the appeal site number 49 comprises of a modest hipped roof bungalow constructed from brown facing brickwork with a plain clay tiled roof, white upvc windows and barge boarding and a flat roof porch to the front.



Number 47 is a simpler more linear bungalow constructed from a redder facing brick, darker roof tile, brown window and projecting bay window.



Adjacent to this is a more traditional double fronted two storey dwelling constructed from yet a further brick type under a plain clay tile roof. A two storey rendered extension has been added to the right hand side of the building and is clearly evident from the adjacent highway. A large open sided oak framed timber porch and oak effect uPVC windows provide the building with a more modern appearance.



The adjacent dwelling, which runs contiguous with the southern boundary of the appeal site is detached, and sits forward of the appeal site. Again this property is different in terms of its overall form having a narrower gable and more linear in its footprint. Whilst it is true to say that it is constructed from brick and render the brick is not red but brown and a two storey projecting front gable has mock tudor and render detailing to its upper storey.



The variation of house styles, design and materials continues as you proceed along Ostlers Lane. Number 48 comprises of a more traditionally proportioned two storey dwelling constructed from facing brickwork with red brick segmented arches above the windows. In contrast to the other buildings it sits gable end on to the lane.



Adjacent to this is no 50 Choir House a large not traditional dwelling constructed from brown facing brickwork and brown interlocking pan tiles. It has a long and narrow front porch with a ban of very shallow horizontal windows above.



Adjacent to this at number 52 is a very modest low eaved two storey cottage constructed from stone under a plain clay tiled roof.



Opposite (number 59 Ostlers Lane) lies a modest detached two storey pitched roof dwelling constructed from facing brickwork on the front elevation with painted pebble dash render above and smooth render to the side. The property has a single storey flat roof projecting bay window with white windows and black painted cills.



It is therefore evident that the appeal dwelling and its neighbours are not therefore uniform but comprise of a wide and varying mix of not only building form and styles but also materials and architectural detailing.

Whilst it is accepted that composite cladding is a material which is not currently present on the existing dwellinghouse it is not considered that its use is inappropriate or harmful nor does it detract from the character and appearance of the appeal dwelling. The extent of cladding is relatively limited in its extent being contained to the upper floor of the front elevation of the appeal building and its colour, which is muted and recessive, further assists in reducing its visual impact.

In addition it should be noted that the appeal property and to a large extent those of the neighbours either side of it benefit from mature roadside planting which further limits the public vantage points from which the appeal development can be seen. The image below is taken from the mid point of the lane from outside number 47 which lies to the north of the site and clearly shows that the appeal proposal is not visible when approached in this direction. Any view of the dwelling and more importantly the cladding is therefore limited to a small snapshot directly outside the access to the site.



Similarly whilst views of the cladding are visible when approached from the south the juxtaposition of the appeal building with the highway and the fact that the adjacent property, number 59, sits forward of it again means that views are localised. Furthermore, the fact that the appeal building is read in conjunction with the adjacent dwelling which as previously stated has a large projecting front gable with timber detailing and render in between means that the use of cladding, albeit different in terms of materials and styles, is not seen as an isolated or jarring feature but merely a different style of treatment.



Furthermore, it is important to note that the wider local area is characterised by a mixed palette of wall covering materials including painted render, brick, natural stone. There are also many examples of the use of timber cladding and weatherboarding in the local area, including on St Edwards First School at the bottom of the lane and also on St Andrews Methodist Church at the top both of which are in close proximity of the appeal building. Below is a Google streetview image clearly showing timber cladding on both the front and side elevation of the school building



Similarly the photo below shows vertical timber cladding to the upper part of the front gable of St Andrews Methodist Church



Whilst it could be argued that the above examples are not domestic buildings but more functional community style buildings vertical timber cladding is also evident on a domestic property just around the corner at 2 Sneyd Close.



In addition several other types of cladding are evident on both this short cul de sac and the adjoining Hillside Road with varying examples of tile hanging, imitation stone cladding, horizontal timber boarding and vertical composite boarding all being present as evidenced in the photos below. Photo below showing properties at the top of Sneyd Close number 16-20



Photo showing properties on Hillside Road (numbers 7, 9 and 11)



The Council's delegated officer report refers to cladding being historically an agricultural material and that it is not typical for the area. However, it should be noted that the use of materials changes with trends and fashions and there has been a national trend toward the use of timber and other 'wood effect' cladding in recent years.

The appeal property has been recently modernised and the proposed treatment achieves a cohesive contemporary style for the building which, when considered in the context of the other alterations/additions to the appeal building, would not be out of keeping with or fundamentally harm its character or that of the streetscene. Neither is it considered that the cumulative effect of the appeal proposal, when considered alongside the other nearby examples of timber cladding and weatherboarding, would undermine the individual identity of Cheddleton.

The second reason for refusal relates to the removal of the original bay window and the addition of a small single storey front extension which the Council argue when considered in conjunction with the inappropriate cladding to the principal elevation and other changes to fenestration contribute to the character of this inter-war dwelling being lost and as such they consider the appeal proposal fails to comply with Policy DC1 of the Staffordshire Moorlands Local Plan and the Staffordshire Moorlands Design Guide SPD.

Whilst it is accepted that the former bay window was an original part of the dwelling its removal is not considered to be so detrimental as to result in the character of the dwelling being lost. The use of composite cladding in place of the previous render is not considered to be so significant as to materially alter the overall effect on the character and appearance of the appeal building or the wider surrounding area. Furthermore, it should be noted that the property benefits from permitted development rights and therefore subject to compliance with criteria laid out in the Town & Country Planning General Permitted Development Order (as amended) certain alterations could be undertaken to the external appearance of the appeal building without formal consent from the Local Planning Authority. Whilst the single storey lean to would have required formal consent due to it projecting forward off the original building line there is nothing to suggest that the bay would be reinstated should the appeal be dismissed as this could be removed and the opening infilled with matching materials without prior consent from the Planning Authority.

Similarly the Council's concerns that the alteration to the first floor window above the garage which they consider to increase the solid to void ratio on this part of the dwelling to create "a very "defensive" appearance which is not in keeping with the property and exaggerates and draws attention to the inappropriate composite timber cladding which forms the wall" are also considered to be subjective.

Notwithstanding the council's view it is considered that the works undertaken to the upper floor windows as part of the appeal proposal would not in themselves require the benefit of formal planning permission and would be permitted under permitted development rights. Therefore again, should the appeal be dismissed there would be no requirement for the appellant to reinstate the former arrangement of window openings and sizes.

Whilst the composite cladding may serve to focus the eye it does not unduly compete with the scale of other elements of the buildings frontage especially having regards to its limited area and recessive muted colouring. The composite cladding assimilates with the render applied to the lower part of the front elevation (to which the council have raised no objections) and the window spacings punctuating the composite cladding assist in offsetting it visually.

Although the councils adopted Design Guide seeks the careful use of materials it acknowledges, in certain circumstances in paragraph 7.27 that "occasionally high quality modern materials may be used as substitutes or replacements for traditional materials".

On the basis of the above it is not considered that the appeal proposal, integrated as part of the comprehensive modernisation of the appeal building, would demonstrably erode the character or appearance of the host building to its detriment or that of the wider street scene given the wide and varied nature of buildings within which it sits. In light of the above, and given the site's location set amongst the established built form of Cheddleton it is considered that appeal proposal represents a sustainable form of development which is appropriate in terms of its design and appearance. The appeal proposal would therefore comply with Policy DC1 of the Staffordshire Moorlands Local Plan which require that development is attractive, of a high quality and maintains local distinctiveness. It would also comply with the guidance on materials set out within the Staffordshire Moorlands Design Guide and the overarching design aims of the National Planning Policy Framework. The Planning Inspector is therefore respectfully requested to allow the appeal.