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# Appeal Decision

Site Visit made on 20 July 2021

**by William Cooper BA (Hons) MA CMLI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>nd</sup> August 2021**

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**Appeal Ref: APP/Z1510/D/21/3268240**

**20 Chapel Street, Steeple Bumpstead CB9 7DQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
  - The appeal is made by Mr Peter Hales against the decision of Braintree District Council.
  - The application Ref: 20/01758/HH, dated 23 October 2020, was refused by notice dated 14 December 2020.
  - The development proposed is a carport.
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## Decision

1. The appeal is allowed and planning permission is granted for a carport at 20 Chapel Street, Steeple Bumpstead CB9 7DQ in accordance with the terms of the application, Ref: 20/01758/HH, dated 23 October 2020, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: RD342.2; RD342.20/01.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## Preliminary Matters

2. The first name in the banner heading above, which is taken from the appeal form, differs from that shown on the application form. It is used following confirmation by the appellant that the above is their correct name.
3. Since the Council's decision, the new Braintree District Local Plan 2013-2033 Section 1 (LPS1) has been adopted, which supersedes a number of policies in the Braintree Core Strategy. Also, a new version of the National Planning Policy Framework (the Framework) was published in July 2021. The new LPS1 and Framework echo and reinforce policy relevant to the main issue in this case. I shall determine the appeal on this basis.

## Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Steeple Bumpstead Conservation Area (CA).

## Reasons

5. The CA is located towards the centre of the village of Steeple Bumpstead, focused around the loop of North Street, Claywall Bridge, Chapel Street and Church Street. From what I saw during my site visit, the CA's significance lies in its traditional architecture, including cottages and houses, which illustrates its evolution as a village from around the sixteenth to the nineteenth century.
6. The appeal property comprises a two-storey, semi-detached dwelling with garden areas. With brick walls and a pitched tile roof, the house is part of a row of post-war dwellings. The host row is set back from the northern end of Chapel Street, separated from the road by front gardens and a relatively deep grass verge with established trees and shrubs. The above together contributes to a relatively modern residential enclave in the north-eastern corner of the CA, which is set back, and to some extent screened from the CA's central road loop by a verdant frontage. The twentieth century architecture of this enclave articulates an evolved character that differs from more historic residential architecture within the CA.
7. In terms of prominence, the appeal property's moderately elevated position, viewed, travelling northwards, from the bend approaching the intersection of Chapel Street, Claywall Bridge and Blois Road, is tempered by the presence of other townscape elements. These include the host row's verdant verge and garden frontage, including the appeal property's front hedge and the substantial trees in front of the site. The varied form of the host row's one and two storey elements, and timber gates and fencing further draw the eye.
8. The height of the carport would be subservient to the house on the site. Its sides would be largely open, with four timber posts and weatherboarding only above eaves level. The tiles of its shallow pitched roof would match those of the house, and, judging by the appearance of the house's roof, weathering and the establishment of lichen are likely to further mellow the roof's appearance over time.
9. The above together amount to assimilating factors which, combined with the gap between the house and carport would preserve the site and locality's sense of spaciousness and character.
10. This would result in the carport having a relatively modest architectural presence that would blend in with its evolved residential context. Furthermore, the charisma and presence of the CA's more traditional architecture - in the form of its historic cottages, houses and the flint and brick-built front boundary wall of the Grade II listed Clay Wall House - would endure.
11. Given the assimilating factors identified and that each case is to be determined on its own merits, the proposal would not set an unwelcome precedent.
12. While the proposal would not result in an enhancement to the CA, and thus not accord with the element of draft Policy LPP56 of the emerging Section 2 of the new Braintree District Local Plan (ELPS2) which seeks the enhancement of conservation areas, the factors outlined above would ensure that the proposal would preserve the significance of the CA, resulting in no harm to its character or appearance.
13. As such, the proposal would accord with Policies RLP3, RLP17, RLP90 and RLP95 of the Braintree District Local Plan Review, Policy SP7 of the LPS1 and

draft Policy LPP38 of the ELPS2 and guidance in the Essex Design Guide, which together seek to ensure that development complements local character and conserves the historic environment. Furthermore, the proposal would accord with the approach of the Framework, taking account of the desirability of sustaining and enhancing the significance of heritage assets, with great weight given to the asset's conservation.

### **Conditions**

14. The conditions suggested by the Council have been considered against the tests of the Framework and advice provided by Planning Practice Guidance. They have been found to be reasonable and necessary in the circumstances of this case. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, to provide certainty. A condition regarding materials is required to safeguard the character and appearance of the area.

### **Conclusion**

15. The proposed development would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

*William Cooper*

INSPECTOR