
Appeal Decision

Site visit made on 2 May 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 05 June 2024

Appeal Reference: APP/W1525/D/24/3337791

25 Belfry Crescent, Little Waltham, Chelmsford, Essex CM3 3GN

- 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 Mrs. S. Graves against the decision of Chelmsford City Council.
 - The application (reference 23/01430/FUL, dated 2 September 2023) was refused by notice dated 8 November 2023.
 - The development proposed is the construction of an area of block paving.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of an area of block paving, at 25 Belfry Crescent, Little Waltham, Chelmsford, Essex CM3 3GN, in accordance with the terms of the application (reference 23/01430/FUL, dated 2 September 2023). Permission is granted subject to the condition that the development hereby permitted shall have been carried out in accordance with the following approved drawings:
 - drawing number PP-12410023v1 (Location Plan);
 - drawing number b36e/uk/1001703/1349916 (Block Plan).

Procedural matter

2. Since the development which is the subject of this appeal has already been carried out, the application is to be treated as one made under Section 73A of the Town and Country Planning Act 1990.

Preliminary points

3. The "Description of Proposed Works" that is given in the planning application form (and repeated in the appeal form) is very extensive and it includes explanatory material. Notwithstanding this description, therefore, the nature of the development for which planning permission is sought can more clearly and succinctly be expressed as the construction of an area of block paving. This is the description that I have adopted in the banner heading, above.

Main issue

4. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

5. The appeal site is located in a new residential area on the north-western edge of Chelmsford, where the A131 loops around the City. The village of Little Waltham lies further to the north, beyond the main built-up area of Chelmsford.
6. The new residential area has been thoughtfully designed and laid out, combining contemporary architectural design with a human scale and making use of traditional forms. The layout of the residential area incorporates significant areas of soft landscaping that help to create a pleasant living environment.
7. Belfry Crescent defines the edge of one of the residential segments of the development, curving around an area of housing. Houses are located on the inside frontage of the Crescent, with zones of open space opposite, bounding the building area and providing open spaces that are attractive in themselves and suitable for informal recreation.
8. Number 25 Belfry Crescent is a two-storey house, faced with brickwork and boarding under a pitched roof but with a contemporary appearance. A garage is attached to the north of the house, alongside a similar garage that forms part of the neighbouring property. The house has a modest back garden with a small front garden that has an impact on the streetscene. There is a hard surfaced area in front of the garage, for access and parking, with a paved pedestrian access and two small flower beds immediately in front of the house itself. A further small area of land, almost triangular in shape, occupies the space to the south of the house, on the frontage between number 25 and number 23 (at the corner). This area has been entirely paved over.
9. Properties to the north of number 25 have a greater proportion of hard surfaced area on their frontages, due to the layout of this part of Belfry Crescent, but number 23 has a greater area of grass and soft landscaping, as a result of its corner location.
10. Planning permission is now sought for the area of block paving that has been constructed alongside number 25.
11. The 'National Planning Policy Framework' (which was revised in December 2023) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history.
12. The emphasis on good design is also established in the Development Plan, notably at Policy DM23 of the 'Chelmsford Local Plan' (which was adopted by Chelmsford City Council in May 2020). Policy DM23 is titled "High Quality and Inclusive Design" and it states that new development should respect the character and appearance of the area in which it is located and be compatible with its surroundings, among other things.
13. The new paving creates an area of hard surfacing on the frontage of number 25 where the original layout had not included any surfacing material. It is argued that the unpaved area had become untidy, with weeds, but I am not persuaded that this would be a significant problem or that the area would be difficult to

maintain, if unpaved. The paved area no doubt provides an off-street parking bay but there does not appear to be any particular pressure for on-street parking and no highway danger is generated.

14. I accept, nevertheless, that the off-street facility would be useful and I am not convinced that rainwater run-off would cause a drainage problem, in view of the small area involved and the extent of the unsurfaced areas that remain in the immediate locality of this site.
15. Visually, however, the townscape design combines both surfaced and unsurfaced elements and the newly paved area is not out of keeping with the broader design intent for the development as a whole. I am not persuaded that the paving causes material harm to the character and appearance of the surroundings, or that a refusal of planning permission can be justified in this case.
16. Hence, I have concluded that the project would not be in conflict with national or local planning policies (including the Development Plan) and that it is acceptable in planning terms. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
17. I have, however, also considered the need for conditions and, in imposing conditions, I am conscious that the paving is already in place. A condition is still necessary to define the planning permission, however.
18. I have also considered whether a condition ought to be imposed to require the creation of a new flower bed on part of the area (as suggested by the appellant) but such a condition would impose a disproportionate imposition on the householders and is not necessary or reasonable in this case.

Roger C. Shrimplin

INSPECTOR