



Appeal Decision

Site Visit made on 16 March 2021

by R E Jones BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2021

Appeal Ref: APP/Y3940/W/20/3264799

Manisty, The Street, Oaksey SN16 9TF

- 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 Andrew Rohrer against the decision of Wiltshire Council.
 - The application Ref 20/08658, dated 7 October 2020, was refused by notice dated 2 December 2020.
 - The development proposed is alterations to boundary construction, access road layout and other alterations to Plot 1 (All Saints House), Plot 2 (Manisty) and Plot 4.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form indicates that work on site has already begun, and I noted during my site visit that the proposed access road and the majority of the boundary enclosures were in situ. Therefore, in addition to the aspects proposed, this appeal seeks to retain those works already completed.

Main Issue

3. The main issue is the effect of the proposal on the significance of the Oaksey Conservation Area (OCA) and the character and appearance of the area.

Reasons

4. The appeal site comprises part of a small cul-de-sac of four large detached dwellings located close to Oaksey's eastern edge. The dwellings are set back from the highway although occupy a prominent location on the northern flank of The Street, the main thoroughfare through the village. A large portion of the appeal site's southern half is located within the Oaksey Conservation Area.
5. Given the appeal site's location within the OCA I have attached considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. The conservation area encompasses the majority of Oaksey, a small village containing a rich variety of historic buildings and more recently built properties that reflect the form, style and use of materials of the settlement's older buildings. Properties maintain a close relationship to the road and are separated from the highway by either traditional low-rise stone boundary walls or manicured hedges, often revealing attractive and well-maintained gardens

containing a variety of trees, shrubs and small lawns. The scale and soft appearance of the boundary features and property frontages contribute to a sense of intimacy as you travel along The Street. This is particularly notable along the property frontages either side of the appeal site, on The Street's northern flank. Therefore, in so far as it relates to this appeal, the conservation area derives some of its significance from the verdant and subtle interface between properties and the road, as well as the aesthetic value derived from the scale, appearance and vernacular construction of the stone boundary walls.

7. Given the recessed position of the dwellings and the estate road's width of around 7m, the proposed front and side boundary enclosures enclosing Plots 1 and 4 will be visible from the highway. Unlike, the majority of existing boundary walls elsewhere, which are short and understated, the fences and walls along the estate road and the front of Plot 1 are taller, while having a blunt appearance that will stand out visually. Moreover, the combination of the cement bonding of the walls, vertical wood panelling above, and the timber fencing, will in combination, appear inconsistent and jarring when seen amongst the more coherent boundary enclosures along the road, particularly the vernacular dry-stone walls.
8. Part of the timber fence enclosing Plot 1 has an existing hedge between it and the highway, whilst further planting is proposed in front of the section of fence either side of the proposed bin collection area. This would screen the fencing to some extent, although I noted during my site visit that the fence's profile and solid appearance was still visible through the existing hedge planting when viewed from The Street and the cul-de-sac estate road. Moreover, the area behind the bin collection point would still be exposed as the proposed planting would not extend across this section of the fencing. Therefore, the existing and proposed planting would not effectively eliminate the fencing's visual discordance.
9. The combination of the proposed boundary enclosures with their contrasting heights, designs and material finishes has a muddled appearance, in stark contrast to the understated simplicity and vernacular style of the majority of the existing enclosures along The Street. The proposed boundary enclosures will have a jarring visual presence and their failure to harmonise with existing property boundaries will erode the character and appearance of the OCA and the area in general. In the context of the heritage asset, there will be moderate harm to the significance of the conservation area.
10. The Council has raised concerns regarding the amendment to the cul-de-sac's road alignment. However, there are other roads located off The Street, and within the OCA, with a similar configuration in terms of angle and length, while the arrangement of these other accesses is not a particular feature which contributes towards the OCA's significance. Consequently, the alteration to the estate road's alignment will not harm the special qualities of the heritage asset, or the appearance of the wider area.
11. A new refuse collection and recycling point is proposed at the entrance to the cul-de-sac, adjacent to Plot 1. Although this would be in a more prominent location compared with the previously approved bin store, I would not envisage bins and waste containers to be permanently placed at this new location, other

than around collection days. On this basis, the new collection point would not harm the significance of the heritage asset and the wider area in visual terms.

12. Therefore, taking all the above points into consideration, I conclude that the proposed boundary enclosures to Plot 1 and 4 will result in moderate harm to the significance of the OCA while also harming the area's character and appearance in general. It will conflict with Policies 57 and 58 of the Wiltshire Core Strategy (January 2015), and Policies 4, 5, 6, 11 and 12 of the Oaksey Neighbourhood Plan 2018-2026 (March 2019). These, in part, require proposals to protect and conserve heritage assets, take account of local distinctiveness, respond positively to the surrounding area in terms of height, scale and use of materials, and to preserve local views. The proposal will also fail to accord with the provisions of the National Planning Policy Framework (Framework) (paragraphs 124 and 130) which relates to poor design, as well as the Act.
13. The proposal will have a negative effect on the significance of a designated heritage asset and will result in "less than substantial" harm in the words of the Framework (paragraph 196). Accordingly, this harm should be weighed against the public benefits of the proposal.
14. There would be a small public benefit in so far as the scheme also proposes to relocate a public bench to a more accessible location in front of Plot 4. However, this change would not be dependent on the boundary enclosures being in their proposed form. Accordingly, there are no public benefits to weigh against the scheme's harm.

Other Matters

15. I appreciate that the proposed boundary enclosures could provide additional security and privacy for the occupants of Plots 1 and 4. However, there may be alternative security and screening measures that would not cause harm to the OCA. The desire for increase security and privacy is therefore not a justification for permitting something I have found to be harmful to the heritage asset.

Conclusion

16. Given the above, the proposal will fail to preserve or enhance the character or appearance of the conservation, and the area in general. It will not accord with the development plan and there are no other considerations to outweigh that finding. Accordingly, the appeal should fail.

RE Jones

INSPECTOR