



Appeal Decision

Site visit made on 6 August 2024

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 5 September 2024

Appeal Ref: APP/Y3940/D/24/3346888

Old Well House The Street, Charlton Malmesbury SN16 9DL

- 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 Craig Duff against the decision of Wiltshire Council.
 - The application Ref is PL/2024/03389.
 - The development proposed is Erection of 1.8m high stone gate piers and timber gates (Retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the gate piers and gates upon the Charlton Conservation Area.

Reasons

3. Charlton is a small village comprised in the area surrounding the appeal site by predominantly large detached houses of various ages and in a Cotswold vernacular style arranged along both sides of a single road, 'The Street'¹. Old Well House is one of a small group of recently constructed houses on the south side with two listed buildings² also in residential use, in proximity.
4. The appellant seeks to retain a gate and associated stone pillars to a height of 1.8m. Otherwise, the frontage to Old Well House is consistent with that of immediately neighbouring houses³ on the south side of The Street in that a low dry stone wall at a broadly consistent height⁴ defines frontages behind a grassy verge, some with substantial planting which screens, or partly screens, the buildings within.
5. Dry stone wall by its inherent laminar form introduces a horizontal emphasis into the street scene. Where these walls exist it is their consistency in appearance and level continuity across adjoining plot frontages that appear as a unifying factor, making a distinctive contribution to the character and appearance of the public realm. By the nature of their mortarless construction, gaps for access or corners entirely lack articulation by pillars or other architectural device.

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² The Old School House (grade II) and Village Farmhouse grade II*

³ Some boundary treatments east and west of the site include an absence of walling and are typically planted

⁴ The appellant refers to a height of three feet.

6. Although much has changed within the village since the designation of the Charlton Conservation Area (CCA) and there are in consequence some discrepancies between the content of the character appraisal maps and what is currently found, these boundary treatments are identified in the CCA appraisal⁵ as making an important contribution to this part of the CCA and are referenced in such terms within the appraisal document.
7. The appellant refers to examples of gates of similar height in proximity, specifically the Council's approval of gates of similar height at Village Farmhouse and their reference to those at Old School House, which are both listed buildings. Of these the latter has a front boundary which appears entirely hedged albeit with some elements of walling largely concealed within, such that the gates do not stand prominently there being no associated piers or pillars. The vehicle and pedestrian gates on the frontage to Village Farmhouse fit within a section of wall which is of similar height to its gates and under a tall hedge. The simple planar form of that wall (notwithstanding its greater height than elsewhere) contributes to the generally unifying effect of the stone walling along the street..
8. A number of different gate types are found in the street, including 5-bar timber and metal pedestrian; my observations in that regard are that it is the general evenness of the enclosing walls' form, the continuity, texture and weathered colour of the stone which are the predominant characteristics, piers or similar architectural elements absent, that define the street scene. Gates appear to bridge gaps in an otherwise continuous form as is the case at Village Farmhouse, and generally⁶ are visually subordinate to the walls in which they are located.
9. The works proposed to be retained at Old Well House, however, include two stone piers which are double the height of the boundary wall to correspond to the height of gates. Unlike the un-mortared terminations and corners to walls found elsewhere, notwithstanding the use of reclaimed stone, the height, 'built' appearance and detail employed⁷ in these pillars is visually anomalous and detracts from the distinctive character and appearance of this part of the CCA, which is a designated heritage asset.
10. I therefore find a conflict with policy 58 of the Wiltshire Core Strategy 2015 (WCS) which seeks to protect, conserve and where possible enhance, the historic environment. In that regard I have noted the general duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that such harm, albeit limited, should attract considerable importance and weight which, in this case, I consider is not outweighed by any public or other benefit.
11. Consequently, taking all matters raised into account, the appeal cannot succeed.

Andrew Boughton

INSPECTOR

⁵ Kennet DC Charlton Conservation Area character appraisal and management proposals August 2006: see map 6 and appendix 1

⁶ other than at the appeal site

⁷ The use of mortar and of coursed stone in the upper parts of the piers is visually inconsistent