



Appeal Decision

Site visit made on 16 October 2009

by **Richard Thomas** BA, Dip Arch, RIBA, IHBC

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Decision date:
30 October 2009

Appeal Ref: APP/Y3940/A/09/2104129

Oaklands, 6 Oak Lane, Easterton, Devizes, SN10 4PD

- 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 Paul Hannant and Ms Caroline Long against the decision of Wiltshire Council.
- The application Ref. E/09/0075/FUL, dated 14 January 2009, was refused by notice dated 12 March 2009.
- The development proposed is a "new dwelling and cart shed style garaging, demolition of stables and outbuilding, (resubmission following refusal K/59407/F)".

Decision

1. I dismiss the appeal.

Main issues

2. Whether the proposed development would preserve or enhance the character or appearance of the Easterton Conservation Area and preserve the setting of Kestrels, a Grade II* listed building.

Reasons

3. The appeal site is an area of land to one side of the driveway to the recently constructed dwelling 'Oaklands'. This house is set in a relatively spacious plot typical of the short length of Oak Lane situated between the group of thatched cottages at the foot of the hill and the relatively dense suburban character of the 20th century bungalows, together with the recently constructed house at the brow of the hill.
4. This part of the conservation area is dominated by Kestrels, a substantial Grade II* listed 18th century house. Set behind a high wall along Oak Lane, the house is prominent in views from both directions, and its dominant appearance is enhanced by the open setting provided by Oak Lane and the distance between the nearest significant buildings on the land opposite, as compared to the enclosed character created by the high boundary wall of Kestrels. While this setting includes the garage of No.10 and the stables on the lower part of the appeal site, I noted that these single story structures are relatively well hidden and do not impinge upon the setting of the listed building. As a result, this steeply sloping section of Oak Lane has a semi-rural character devoid of any structures that compete with the elegant hipped roof silhouette of Kestrels.
5. While the appeal site is relatively large in overall area, the proposed house would be constructed on the relatively small area of flat land presently occupied by the stables. It would be of a modestly scaled architectural

character, to which the Council has raised no objection. However, although the proposed house would set into the rising hillside, its ridge would be some 54.85m above survey datum. As a consequence, it would be higher than the eaves of Kestrels, situated only some 13m away on the opposite side of the road. The resulting prominence of the proposed roof and the proximity of the relatively tall gable and chimney to the listed building would destroy the latter's present open setting, creating a constricted visual pinch point that would urbanise views up and down the hill.

6. The relatively close proximity of the existing and proposed buildings would significantly diminish the semi-rural character of the road, resulting in a harmful change to the present setting of Kestrels. I note the appellants' intention to retain and strengthen the existing beech hedge, but saw that this would not be sufficient to prevent the harmful visual intrusion of the roof and gable into views of, and from, the surrounding area.
7. I therefore consider that the proposed development would fail to preserve the setting of the listed building and also the semi-rural character and appearance of this part of the Easterton Conservation Area in which it lies. This would be contrary to the guidance in Planning Policy Guidance 15 *Planning and the Historic Environment* (PPG15) and would conflict with policies PD1 and HC24 of the Kennet District Local Plan (2004).
8. While there is no objection in principle to the development of the appeal site, which lies within the built-up area of the village, the immediate surroundings of the appeal site are significantly different in character to that of the recently constructed house at the brow of the hill I referred to above. I therefore consider that the granting of planning permission for that house does not set a precedent that can be repeated without due regard being paid to the differing context of the appeal site. Having regard to these and all other matters raised, I conclude that the appeal should be dismissed.

Richard Thomas

Inspector