

Wiltshire Council Planning Consultation Response

17 & 18 & 21 August 2026

Janice Gooch
Senior Conservation Officer
Wiltshire Council Conservation (Central)

Officer's Name: Brook Bishop
Officer's Title: Planning Officer

Application No: PL/2026/04751
Relocation of a boundary wall.
Bremilham Mill House, Foxley, Malmesbury, SN16 0JH

Please find following comments in respect of the above application(s).

Recommendations:

☐	No comment
☐	Support in principle subject to amendments to the scheme (as set out below)
☐	Support subject to conditions (as set out below)
☒	Object (for reasons set out below)
☐	No objections

Scope of comments: the following comments relate to the built historic environment.

National Policy and guidance: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 214-16 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF. Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment". Additional guidance is also contained within their publications:

- Historic Environment Good Practice Planning Advice Note 2 – Managing Significance in Decision-Taking in the Historic Environment (2015)

- Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets (2nd edition)

The following points are taken from the Historic England document “The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3” (HE GPA3) that are considered to be particularly relevant:

HE GPA3 Part 1:

“The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset.”

“The extent and importance of setting is often expressed by reference to visual considerations. ...views of or from an asset will play an important part...”

“While setting can be mapped in the context of an individual application or proposal, it cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset. This is because the surroundings of a heritage asset will change over time.”

“The importance lies in what the setting contributes to the significance of the heritage asset or to the ability to appreciate that significance.”

Other HE publications

HE GPAs and HEANs [The Planning System | Historic England](#)

Local Policy: The Council’s Core Strategy Policy CP58 ‘Ensuring the conservation of the historic environment’ requires that “designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance.” It is also required that distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

The Council’s Core Strategy CP 57: Ensuring high-quality design requires a high quality of design in all new developments. Proposals are required to “demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) “enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development” and “responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.”

Proposal: The proposed scheme looks to carefully take down a wall (possible rebuilt or altered in 2009) and relocate the wall by 3.6m, increasing the height of the wall to 1.7m. No details have been provided of the proposed new steps or how the surface will be treated to allow for parking and accessible access into the property.

Relevant planning history: Recent applications for new greenhouse and additional shed (PL/2025/01159 & PL/2026/01881).

00/01850/FUL - erection of outbuilding to form workshop, garage and storage – this included works to boundary walls.

N/97/00358/LBC & N/97/00357/FUL - Refurbishment and extension to original mill house extension to dwelling – this included works to boundary walls.

Issues: impact on the significance, including setting & curtilage of a listed building

Information considered/provided: Paragraph 207 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance.

In this case, the applications are accompanied by a “Design Access and Heritage Statement” which provides sufficient information to understand the impact of the proposals and is proportionate to their scope. The requirements of the NPPF are therefore met in this respect.

However, paragraph 208 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Significance of assets and contribution of setting: The NPPF defines significance as the “value of a heritage asset to this and future generations because of its heritage interest. The interest may be **archaeological, architectural, artistic or historic**. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.

The interest may be architectural, or historic as set out in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 S 1.

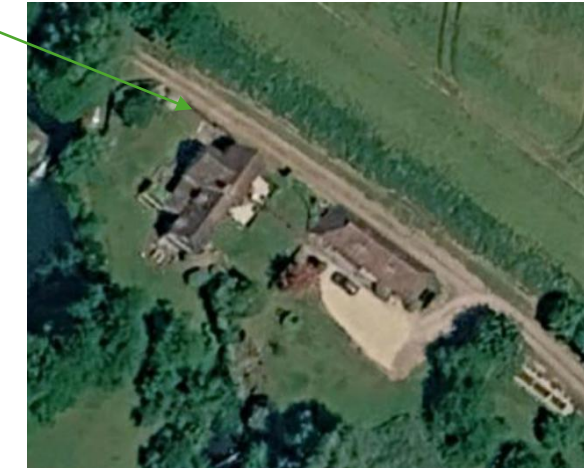
In this case the significance of the building lies largely with its historic fabric and vernacular architecture - its form, layout and original function and use of vernacular materials which have significant aesthetic and architectural interest. The rural location, located on the River Avon, contributes to the setting of the listed building, recognising that the mill was an important part of rural life in the Medieval and Early Modern periods, and the subsequent decline in the late C19 when the mill became redundant. The VCH note that the Mill buildings were demolished after 1945, but the historic OS maps would indicate that part of the mill was demolished, and that the existing Mill House has since been extended (c.1997), including where part of the demolished mill was located, as the mill race was evident on the Case Officer’s Site Visit photographs (2025 – PL/2026/01159).

The application site also has archaeological considerations, and therefore the relocation of the wall (and the presumed foundation requirements for the formation of the proposed 1.7m wall) should have Archaeologists guidance.

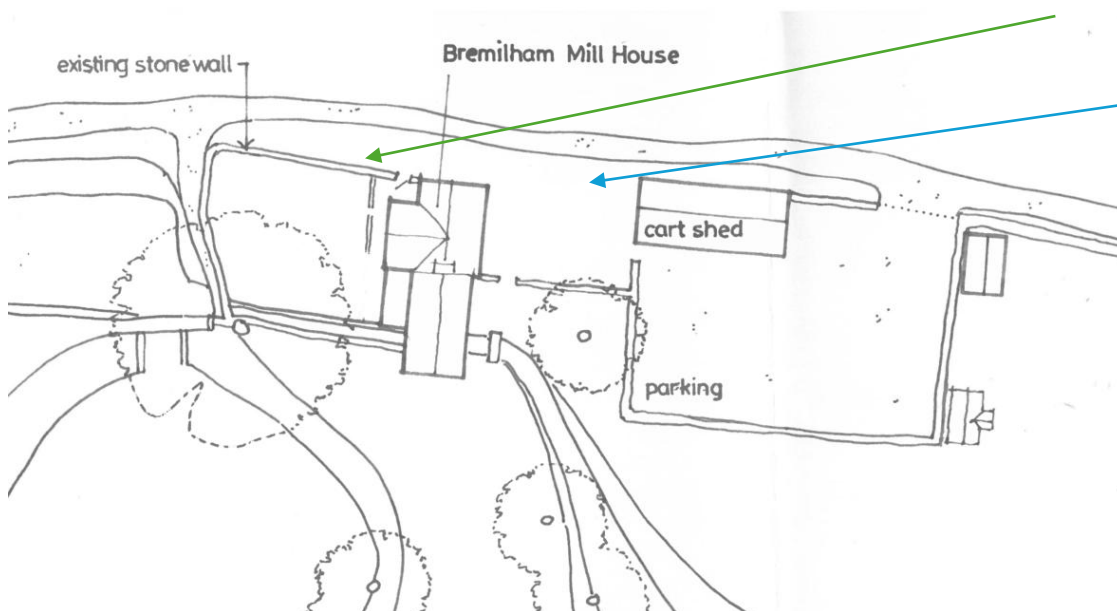
Assessment: There is a discrepancy between the previous planning applications, the submitted application and the recent (2025) site visit photographs taken by the Case Officer. A site visit was not undertaken as the principle of a 1.7m boundary wall is not acceptable and, as discussed below, there is a concern over the proposed relocation of the potential curtilage listed boundary wall.

The previous site visit photographs show that existing low-level wall is set away from the building and allows views across the land and clear view of the house. There is existing parking within the site in front of the outbuilding (Cart Shed), with no boundary treatment within this area. The existing Google Images (2026) reflect this. The site visit photos also show that between the Mill and the outbuilding is a tall boundary wall, with a pedestrian gated entrance.

The existing site plan does not match the site visit photographs or the Google images. The previous two applications (for additional shed and greenhouse) show a slightly revised layout, with a boundary wall around the parking area to the cart shed. There is a discrepancy between the site plans regarding the boundary wall between the house and cart shed, which is shown on the site visit photographs but not on the existing site plans. This wall appears to have been constructed post 2000’s judging by the planning history.



Google Maps (2026) and Site Visit Photos 31.03.25 (PL/2025/01159). Green arrow shows the different location of the boundary wall, and the blue arrow shows taller stone boundary wall, which could be curtilage listed (pre-1948).



Existing site plan for this application. Green arrow shows the different form of the boundary wall, and the blue arrow shows the missing approved boundary. This wall was consented for 900mm to match the approved boundary wall (green arrow).

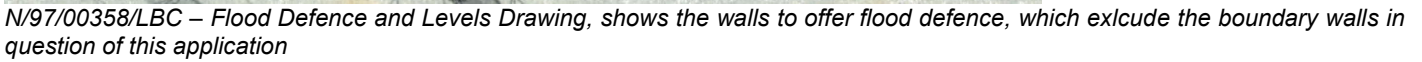
Topographic map showing various features and elevations:

- Elevations:** +100.16, +100.03, +100.18, +100.53, +100.75, +100.72, +100.85, +100.31, +100.09, +100.17, +100.01, +99.92, +99.8, +99.77, +99.78, +99.63, +99.59, +99.42, +99.70, +99.94, +99.46, +99.44, +99.27, +99.13, +98.84, +98.36, +99.05, +99.10, +99.01, +98.86, +99.16, +99.35, +99.48, +99.52, +99.52, +99.17, +99.64, +98.98, +99.00, +98.81, +99.11, +100.12, +100.05, +100.10, +100.23, +100.18M, +500.00N, +530.29E.
- Structures and Features:** STONEWALL REMAINS, OLD B/W FENCE, EXT, COTTAGE, RIDGE 106.76, EAVES 103.44, CHAMBER, DITCH, MAPLE, ALDERS, DAMSON, ASH, HAWTHORN, GARDEN, REMAINS OF BUILDING, EDGE C, BRIDGE.
- Other:** STA 2, No Cei, I st the.

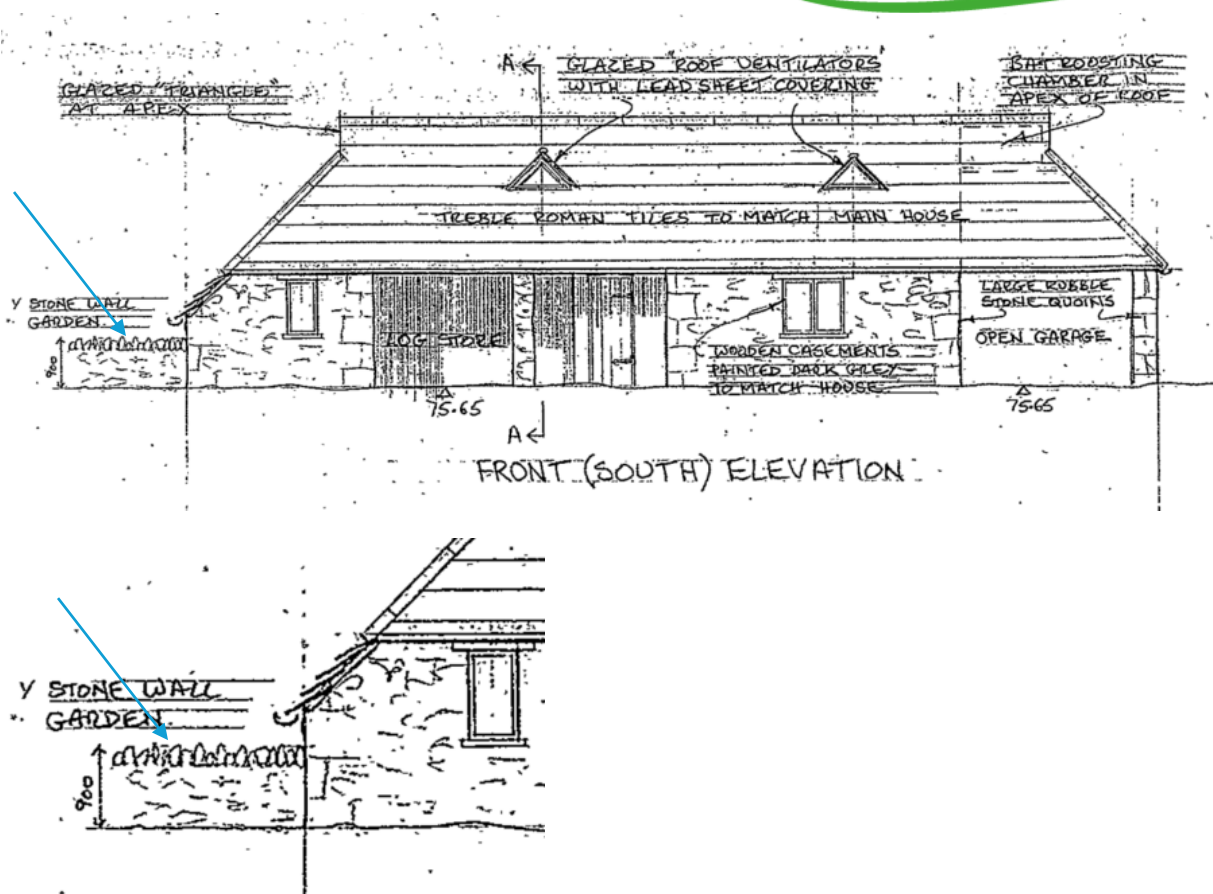
A hand-drawn architectural floor plan of a house, likely a small cabin or a simple home. The plan includes several rooms and outdoor features:

- Rooms:**
 - LIVING ROOM:** Located at the top center, featuring a "New stone spiral stairs" leading down to the family room.
 - BREAKFAST:** Located to the left of the living room, with "glassed sliding doors" and a "cork floor".
 - KITCHEN:** Located to the right of the breakfast room, with a "sink" and "stove".
 - FAMILY:** Located at the bottom center, with a "stove" and a "water wheel" nearby.
 - UTILITY:** Located to the left of the living room, with a "cork floor" and a "water wheel".
 - LOO:** Located to the left of the utility room.
- Outdoor Features:**
 - MILL LEAT:** A long, narrow water feature extending from the left side of the house.
 - STONE WALL:** A "New stone wall 200 high" runs along the right side of the house.
 - BRIDGE:** A "Simple timber bridge over leat" crosses the mill leat.
 - STONE WALL:** A "New stone wall 200 high" runs along the right side of the house.
 - STONE WALL:** A "New stone wall 200 high" runs along the right side of the house.
 - STONE WALL:** A "New stone wall 200 high" runs along the right side of the house.
- Other Notes:**
 - "muck good remaining of stone walls - just build up to 200 mm."
 - "New 3' x 6' 1/2" x 1/2" muck"
 - "Build up on stone walls"
 - "ex. willow"
 - "ex. driveway"
 - "muck 3' x 6' 1/2" x 1/2"

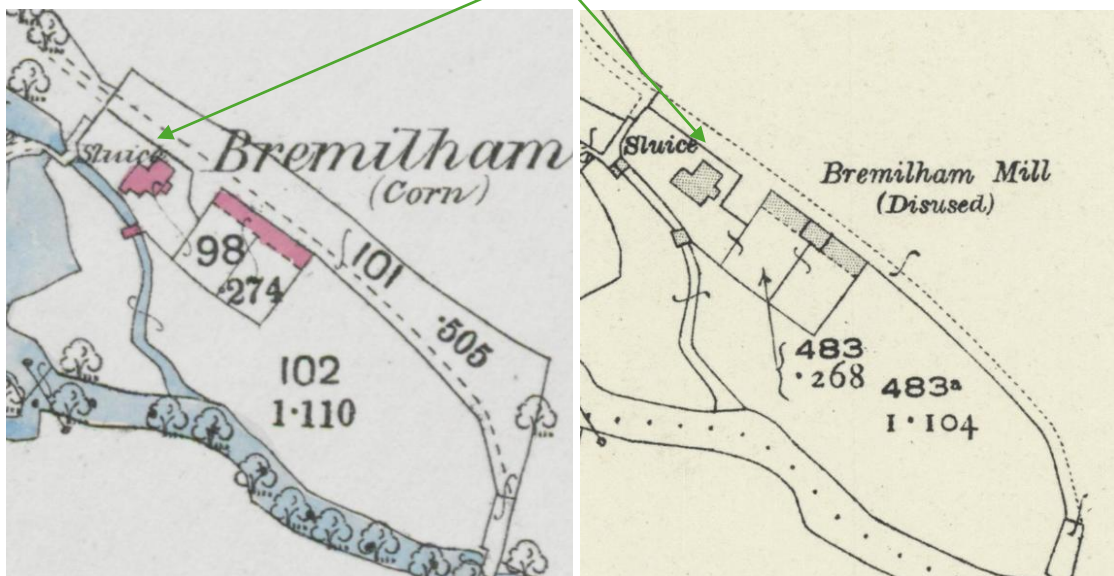
97/00358/LBC – notes ‘make good remains of stone walls and build up to 900mm’, with the position of the wall in a slightly difference location.



Proposed (as approved) site plan showing new wall – 00/01850/FUL, approved 09/2000, with the boundary wall between dwelling and cart shed.



Proposed (as approved) elevation to the front of the Cartshed showing new wall – 00/01850/FUL, approved 09/2000, with the boundary wall between dwelling and cart shed. This boundary wall is low level (900mm). The constructed wall is therefore taller than approved.



1st Ed. (1844-188) and 2nd Ed. (1898-1939) OS Maps with the green arrows showing the low-level boundary wall in the same position, but it has been altered by the main property. This is similar to the position on the existing site plan for 00/01850/FUL & 97/00358/LBC and not as the submitted existing site plan.

The proposed scheme looks to relocate the boundary wall and create step to the rear elevation, with the justification submitted to allow 'the creation of an accessible parking space adjacent to the dwelling.'

The submitted information states that the front boundary wall was 'understood to have been rebuilt during the restoration works undertaken in 2009.' There is no consent for this timeframe, so it is presumed that the rebuilding was undertaken as part of the 97/00358/LBC consent, which the approved drawings show '*make good remains of stone walls and build up to 900mm*'. As previously discussed, if the existing remains of the wall were used, the position of the wall is likely to have taken it past the building (as per the historic OS maps) and therefore the small return to the house was undertaken. This would match the site visit photographs (2025). As this follows the historic boundary line, it is considered that the wall retains significance. Depending on the amount of works undertaken, this wall could be considered as curtilage listed. It is acknowledged that there have been some changes to the boundary wall, as evidenced by the historic OS maps, but it appears that the main position of the wall is within its historic position. Therefore, the relocation of the possible curtilage listed wall needs clear and convincing justification.

The submitted information justifies that the works are required to 'significantly improve day-to-day accessibility for the applicant and for elderly family with reduced mobility' (para.6.6 of the DAS). However, the proposed site plan indicates that there will be steps between the parking and the property, and this raises the concern over accessibility.¹ The previous application site plans show that there is existing level access between the current parking by the cart shed and the main property. (Refer to ground levels on the existing site plan for 00/01850/FUL & 97/00358/LBC).

The existing area in front of the property is soft grass verge with the track running alongside. This presents a very rural setting to the relatively isolated property.² No details have been provided on how the 3.4m space will be formed or how a parking space(s) will be created. The use of hard landscaping would not be supported as this would result in a more urban appearance, which in this isolated location would be considered to cause harm to the setting of the listed building. The existing parking space has a 'rolled gravel area', so would offer a semi-hard surface to allow accessibility, including wheelchair access. An uneven, soft landscape, such as a grass area, raises concerns that this will not be safe or accessible in all weathers and that there will be requirement for hard standing for the car(s) and ease of access. The previously approved schemes does include a small area of hardstanding besides the main house, and it is unclear why this is not suitable for parking which would not require the relocation of the boundary wall.

Boundary walls were a clear demarcation of spaces, private, public and working spaces. The boundary line follows that principle, and the reduction in the curtilage of the building would therefore cause harm to the setting of the listed building.

The proposed relocating of the boundary treatment is considered to cause harm to the (possible) curtilage listed boundary wall and to the setting & significance of the listed building, and it has not been clearly demonstrated that there is a public benefit to outweigh the harm.

The greater harm is considered to be the proposed creation of the 1.7m high wall, which is an unusual and alien detail within such a rural and isolated location. Tall boundary walls of this height would be associated with a great house, and particularly a Walled Garden. The mill was a commercial building which had residential accommodation. The garden would have been relatively open, as seen as today. Whilst the mill has been redundant since the mid C19, the character of the building and its isolated setting remain. The creation of such a tall boundary wall would obstruct views of the building, especially as this is a front elevation. It should be noted that the existing tall wall was permitted to be 900m tall.

The submitted information advises that the height of the wall is required to provide 'an increased degree of privacy from the adjoining public bridleway' (para. 6.6). The creation of a 1.7m boundary wall to the front elevation of a listed building is not generally supported and rarely supported to the rear elevation. It has not

¹ It is acknowledged that accessible is not wheelchair access only.

² As noted in previous Case Officer Reports and supported by the submitted information 'is accessed from the Foxley Road and by following a private no through road running northwards from this main road.' (para. 2.2)

been clearly demonstrated that there is a need for such a 'degree of privacy' in such a rural location that would outweigh the harm to the setting of the listed building. It has not been clearly demonstrated that there is a public benefit to outweigh the harm.

There are several concerns raised by the submitted application, including the incorrect site plans, and walls that have been constructed taller than approved. The principle of a 1.7m boundary wall is not acceptable.

Additional Comments

The Case Officer undertook a site visit, supplying additional photographs and some historic photographs of the site offered by the owner.

The historic photos show how open the site was at the time of the renovation, with no indication of the existing walls, though there was plant growth that may have covered any low-level structures. The survey details used on the previous applications indicate the position of the walls, and these wouldn't have been identified if there was not any remaining evidence of walls, therefore it is presumed that some remains of the walls were evident at the time of the survey. The historic walls would have been low-level to protect animals, rather than create privacy. As shown on all the photos, there is no over-looking issues, and this hasn't changed since the construction of the mill. Based on the additional information, it is still recommended that the application is refused due to the proposed height of the proposed wall (1.7m) as this would cause harm to the setting of the listed building and the new NPPF places much emphasis on setting.

Even if the proposed wall was reduced in height to 900mm, then the recommendation would remain as refusal as the existing wall appears to follow the historic boundary line. The moving of the wall along its length by 3.7m would reduce the historic curtilage of the site, even if it appears visually reduced, this is considered to cause harm to the setting of the listed building.

In terms of whether it would be considered as curtilage listed, my view would be that as it has been rebuilt to such an extent, that it would not be considered as curtilage listed, but makes a positive contribution to the setting of the listed building, with the evidence indicating that it followed the historic boundary line as evidenced by the site survey plans (existing site plans) and the historic OS maps.

It has not been demonstrated that there are any public benefits of relocating the wall or creating a wall of 1.7m high. As previously advised, the existing tall wall is contrary to the approved applications, and therefore from a heritage consideration, should not be used as a reference. Precedence is not a consideration when assessing impact on the significance of a listed building as each application is assessed individually on its merits.

Summary & conclusion: The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The proposals will result in harm to the building via the loss of its historic boundary line and the proposed height of the replacement wall. The proposals involve the setting of the listed building, and the curtilage listed wall and could therefore be considered as causing 'less than substantial harm' for the purposes of interpreting the NPPF, but that should not be seen as being of lesser consequence. Indeed, the wording of the NPPF and the 'special regard' by Sections 16 and 66 of the Act requires that any level harm caused should be taken seriously.

Whilst paragraph 215 allows that a level of harm may be offset by public benefits, which could include conservation benefits, in this case no objective justification has been provided for the works and it has not been demonstrated that the works will result in any public benefit. As a result, the proposals fail to meet with the requirements of current conservation legislation, policy or guidance and I therefore recommend refusal.