

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2025/09775
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Sutton Benger Village Hall, Chestnut Road, Sutton Benger, SN15 4RH
DEVELOPMENT DESCRIPTION:	Construction of an oak-framed gazebo (approx. 62m ²) with open sides and a tiled roof (ridge height 4.14m), partly on the existing patio and partly on a 71m ² extension, enclosed by an extended wooden fence.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site is formed of Sutton Benger Village Hall and its associated land, located on Chestnut Road centrally within the settlement. The Village Hall has a substantial curtilage with a large car parking area to the front (north) of the site and a large area of open space to the rear (south) and east (including play equipment and tennis courts) which is for the benefit of, and use by, the local community. Set to the rear towards the western boundary is an existing shed; beyond this western boundary is the Sutton Benger Primary School. Opposite the site to the north (on the other side of Chestnut Road) is the local health surgery but otherwise the area is generally of established residential character, characterised by materials including Cotswold stone and render.

Sutton Benger is designated as a Large Village within the Core Strategy and the site is located the Sutton Benger Conservation Area, falling within Area 2: 'Chestnut Road' of the character areas detailed within the Sutton Benger and Draycot Cerne Neighbourhood Development Plan. There are a number of listed buildings within the Conservation Area, none of which are within close proximity of the site – the nearest being the Bell PH situated on Bell Lane some 60m to the north of the site. There are no Public Rights of Way affecting the site; the site falls within flood zone 1 and is not recorded as being at any elevated risk of surface water flooding.

PROPOSAL

This application relates to the proposed erection of a permanent gazebo, sited to the rear (south) of the Village Hall building and adjacent to the existing shed on an extension to the existing patio area. The open sided gazebo is of traditional timber frame form and construction: oak frame set on staddle stones under a slate roof, stated as being to match the Village Hall. It will measure 11.4m by 6.35m (72sq.m.); c.2.6m to the eaves and 4.14m to the ridge.

PLANNING HISTORY

There is extensive planning history on land immediately adjacent to this application site, in particular relating to the neighbouring primary school; however, this site itself has been subject to the following historic planning applications:

Proposal / Summary
N/02/01532/FUL - Full planning permission Decision - Approve with Conditions Date: 12/8/2002 – EXTENSION OF STORAGE TO REAR OF VILLAGE HALL
N/00/02088/FUL - Full planning permission Decision - Approved Date: 6/12/2000 – STORAGE SHED
N/99/02705/FUL - Full planning permission Decision - Unknown Date: 7/2/2000 – PROPOSED NEW VILLAGE HALL TO REPLACE EXISTING BUILDING WITH ASSOCIATED PARKING AND LANDSCAPING
N/93/01043/S73 - Removal/variation of conditions Decision - Approved Date: 5/8/1993 – PERMANENT RETENTION OF EXISTING CAR PARK, LAND ADJOINING VILLAGE HALL RETENTION OF CAR PARK
N/91/00390/FUL - Full planning permission Decision - Approved Date: 5/4/19991 – TEMPORARY MEDICAL SURGERY

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

- The Town & Country Planning Act 1990

National Planning Policy:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (*adopted January 2015*) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 10 Spatial Strategy for the Chippenham Community Area
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 67 Flood Risk;

The adopted *North Wiltshire Local Plan – Saved Policies (NWLP)*, with particular regard to:

- NE14 Trees and the control of new development
- NE18 Noise and pollution
- CF2 Leisure facilities and open space

Draft Wiltshire Local Plan Policies

- Policy 1: Settlement Strategy
- Policy 2: Delivery Strategy
- Policies 6-20: Chippenham Area Strategy
- Policies 76 – 84: Social, housing, community, public open space and wellbeing
- Policies 85 – 101: Sustainability, ecology, water and landscape, heritage, air quality

Neighbourhood Plan: Sutton Benger & Draycot Cerne Neighbourhood Development Plan 2020 – 2035 ('SB&DCNDP' – Made March 2025)

- Policy SB1 (Landscape – The Rural Character)
- Policy SB7 (Design)
- Policy SB14 (Local Green Spaces)
- Policy SB16 (Loss or Change To Community Facilities)

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)
- A Green & Blue Infrastructure Strategy for Wiltshire: Wiltshire's Natural Environment Plan 2022-2030
- Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP)
 - Active travel infrastructure design standards 2022
 - Active travel parking standards and design guide 2022
- LTN1/20 – Cycle Infrastructure Design (July 2020)

ISSUES

The main issues that need to be addressed in this case include:

- Whether the development is acceptable in principle (CP 1 and 2)
- Whether the scheme constitutes high quality design (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)

CONSULTATION RESPONSES

WC Conservation: No objection

WC Archaeology: No objection

WC Public Protection: No objection

WC Ecology: No comment at time of determination

Sutton Benger Parish Council: No comment

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties;
- A site notice displayed near the site;
- An advertisement placed in the local press.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

Only material planning considerations have been taken into account in the assessment of this application. Non-material issues, such as property values or private legal disputes, cannot be considered in the determination process. No third party representations have been received with regard to this application.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of Development

Policy Context

Core Policy 1: Settlement Strategy of the WCS establishes a hierarchy of settlements to guide where development should be focused. The policy prioritises growth in:

- Principal Settlements (e.g., Salisbury, Chippenham, Trowbridge) – main focus for strategic growth.
- Market Towns – support local services and employment; suitable for sustainable development.
- Local Service Centres – smaller towns and villages with a range of services; limited development supported.
- Large and Small Villages – development should be limited and respond to local needs.
- Outside the defined settlements – development is strictly controlled and generally not supported unless exceptional circumstances apply.

Core Policy 2: Delivery Strategy of the WCS sets out how development will be distributed and delivered across Wiltshire. The policy emphasises:

- Sustainable patterns of growth, reducing the need to travel and supporting local services.
- Development should be plan-led, aligning with the settlement strategy and supported by infrastructure.
- Windfall development (not allocated in plans) must still comply with the principles of sustainable development.
- Development outside settlement boundaries is generally not permitted, unless it meets specific policy exceptions (as set out in paragraph 4.25 of the WCS).

Together, CP1 and CP2 ensure that new development is strategically located, sustainable, and supports the character and function of Wiltshire's communities.

Assessment and Conclusion

Policy SB16 of the Sutton Benger Neighbourhood Plan establishes the principle of the extension of community facilities as acceptable, subject to design and amenity considerations. Similarly, Saved Policy CF2 to the North Wiltshire Local Plan also confirms the principle of new local community facilities within or adjoining village boundaries as acceptable. In this case, the gazebo and associated patio area would be positioned centrally within the village and the principle is therefore considered to be acceptable.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the WCS requires high-quality design that:

- Enhances local character.
- Responds to the natural, historic, and built environment.
- Retains important features (e.g., trees, hedges).
- Supports sustainable construction and compatibility with surrounding uses.
- Creates safe, legible, and accessible spaces.

Policy SB1 (SB&DCNDP) requires development proposals to demonstrate how they protect, conserve and enhance the features which positively define the character of the neighbourhood area, and respond positively to the Wiltshire Landscape Character Assessment and Sutton Benger Parish Character Appraisal. Policy SB7 states development proposals should be of a high standard of design, in keeping with the character of the area as identified within the Sutton Benger Character Appraisal (Appendix 1) and Design Code (Appendix 2), and the setting of the Conservation Area. In addition, the SB&DCNDP discusses Parish-wide local materials and detailing, and states 'Good quality materials are those which will stand the test of time, by being robust, durable, visually attractive and interesting, sustainable and that complement the local vernacular'. Section 12 of the NPPF expects a good standard of design.

Section 12 of the NPPF emphasises design that is:

- Visually attractive.
- Functionally effective.
- Contributes to the quality of the built environment.

The Wiltshire Design Guide encourages sensitivity to local character, materials, and architectural styles and supports modern living standards while maintaining aesthetic and functional quality.

Assessment and Conclusion

The proposed development would be located within the curtilage of Sutton Benger Village Hall and is proposed to be situated to the rear of the site adjacent to an existing shed, with the land to the rear of the site currently used as play space in association with the Village Hall. Currently, the Village Hall is rendered with a tiled roof, whilst the adjacent shed is of wooden construction. The design of the proposed free standing gazebo is to be an open sided timber construction with a gable roof and visible beams. The structure is to be used in conjunction with the Village Hall, so would be for community use and benefit.

Given the scale, design and mass of the proposal, it is considered that the structure would not give rise to any unacceptable level of harm to the setting or character of the surrounding area. The materials and traditional design are of suitably high quality and the structure would be visually attractive and complimentary to, and in harmony with, its setting. The height would be lower than the Village Hall and the structure will have a clearly subservient relationship with that host building. There is not considered to be any landscape impact arising given the village setting of the structure. The application therefore complies with Core Policies 51 and 57 (WCS), Policy SB1 (SB&DCNDP) and Section 12 of the NPPF.

Impact on Heritage Assets

Policy Context

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. Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. In particular:

Paragraph 208 requires LPAs should “avoid or minimise any conflict” between the heritage asset’s conservation (which includes achieving its optimum viable use) and any aspect of a proposal. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable new uses and of new development making a positive contribution to local character and distinctiveness. Paragraphs 212 requires “great weight” to be given to an asset’s conservation “irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.” Paragraph 213 advises that harm to the significance of a designated heritage asset should require “clear and convincing justification”. Paragraphs 213-215(214-216) require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 220 advises that not all elements of a Conservation Area or World Heritage Site

will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm as appropriate.

The Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing 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.

Assessment and Conclusion

The proposed structure is traditional in form and character and is generally of suitably high quality such that it would not detract from the Conservation Area setting. The Conservation Officer has been consulted on the application and has confirmed that:

"The proposed gazebo appears to be of good design, using good quality materials. The proposed appearance and scale of the gazebo aligns with Core Policy 58 as it is considered that the form, scale, design and materials of the structure are in-keeping with the locality of the site and would not be deemed to be inappropriate to the appearance of the surrounding area. It would serve to be complimentary to the character of the area, both in terms of the Village Hall itself and the wider conservation area. Indeed, due to its reasonably discreet position within the context of the existing village hall, it is concluded that no harm will be caused to any of the heritage assets."

As such, and with 'no harm' arising to the designated heritage asset, the application accords with Core Policy 58 and the relevant paragraphs at Section 16 of the NPPF.

Amenity

Policy Context

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents. The National Planning Policy Framework (NPPF), particularly Paragraph 135, reinforces the need for development to provide a high standard of amenity for both existing and future users.

Assessment and Conclusion

The proposed structure will likely result in a greater extent of congregation of peoples in this area. However, the existing use of the site as amenity space to the Village Hall must be acknowledged and the likely relatively modest intensification of activity at this part of the site

is unlikely to lead to any materially harmful amenity impact. There are no immediate residential neighbours and the adjacent school playground is generally used only during school days and times. As such, there are not considered to be any harmful amenity impacts arising such as to conflict with Core Policy 57 (WCS).

Ecology and Biodiversity

Policy Context

The ecological impact of development is a key planning consideration, especially for larger schemes. Proposals must assess and address potential effects on:

- Protected species
- Priority habitats
- Ecological networks
- Green and blue infrastructure

Core Policy 50 of the Wiltshire Core Strategy requires development to:

- Avoid harm to ecological assets.
- Deliver measurable Biodiversity Net Gain (BNG), in line with the Environment Act 2021.
- Support habitat restoration and connectivity.
- Integrate biodiversity into site design.

The Green & Blue Infrastructure Strategy (2022–2030) promotes nature recovery, ecosystem services, and habitat connectivity through development.

Unless exempt, National policy requires a minimum of 10% Biodiversity Net Gain (BNG) for major developments, demonstrated via:

- Biodiversity Metric calculations
- Ecological assessments (e.g. PEAs, Phase 1 surveys, protected species surveys)

Assessment

The application has been supported by a range of ecology information, including BNG report (by suitably qualified professional) and related BNG baseline information and metric, Hedgerow Survey and Tree Survey. No response has been received from the Ecology Officer at the time of determination of this application, but the siting of the proposed gazebo and patio is on an existing grassed area and as such it is not considered that any important habitat would be impacted; the site does not fall within any designated area. Given the size of the application site and area of proposed works, the application does not meet the BNG exemption criteria and as such there would be requirement to deliver the necessary 10% - whilst this is a post-determination matter, it is noted that the submitted documents confirm that the intention would be to secure this uplift on land within the red-line boundary.

In terms of arboricultural impacts, the submitted Tree Survey shows the removal of 1 no. Scots Pine some distance from the proposed works towards the eastern boundary of the site (towards Sutton Lane). The removal of this tree does not form part of the Description of Development and the Arboricultural Officer has not been consulted on this application. As such, the Applicant is advised that a separate tree works consent may be required for those specific works.

Conclusion

With no apparent impact on any important habitat, and BNG being secured by way of mandatory Condition, the application does not give rise to any conflict with Core Policy 50 (WCS) and Section 15 of the NPPF.

Other Issues

There are not considered to be **highways, flooding / drainage, landscape** or other issues arising which would form part of the consideration of this planning application.

PLANNING BALANCE AND CONCLUSION

At the heart of the NPPF there is a presumption in favour of sustainable development requiring local planning authorities to approve development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless (taken from paragraph 11d of the NPPF):

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

The principle of development is considered acceptable when assessed against the settlement strategy of the Wiltshire Core Strategy and the emerging Local Plan.

The proposal is broadly compliant with relevant local and national planning policies in respect of design & scale, heritage, residential amenity and ecology; there are not considered to be any matters of landscape, highway safety, flood risk / drainage, or any environmental impacts, arising from the proposal.

Being for public use, the proposed development would be of benefit to the local community generally and no material considerations have been identified that would justify or warrant refusal of the application, and no third-party objections have been received in response to the consultation.

Accordingly, the proposal is considered acceptable in planning terms and in accordance with the Wiltshire Core Strategy, the National Planning Policy Framework, and all other relevant material considerations.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan (Planning Portal, 15-Dec-2025)
- GS1-7: Site Plan
- GS1-9: Site Plan (Dimensioned)
- GS1-1 Proposed Elevations – Side
- GS1-2 Proposed Elevations – Side (Tiled)
- GS1-4 Proposed Roof Plan
- GS1-5 Proposed Section – Through
- GS1-6 Proposed Elevations – End

(received 30/12/2025 unless otherwise stated)

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials of the patio extension shall match those of the existing patio; the roof slates on the gazebo hereby approved shall match those of the adjacent Village Hall; and the surrounding fencing hereby approved shall match the existing fencing surrounding the patio.

REASON: In the interests of visual amenity and the character and appearance of the area.

INFORMATIVES

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.