

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/01818
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Studley Grange Garden & Leisure Park, Hay Lane, Wroughton, SN4 9QT
DEVELOPMENT DESCRIPTION:	Demolition of existing open sided canopy and erection of replacement open sided canopy
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site comprises part of an existing car parking area serving a garden centre and leisure park.

PROPOSAL

The proposal is to replace an entrance canopy. The new canopy would occupy broadly the same footprint as the existing structure but would be taller and of a single arch form (the existing canopy has a lower double arch roof form). The maximum height of the new canopy would be approx. 5 metres with eaves of approx. 3.3 metres. It would span the width of the existing entrance and exit doors.

PLANNING HISTORY

Proposal / Summary
19/02146/FUL - Full planning permission Decision - Approve with Conditions Date: 29/7/2019 – Demolition of 328m canopy, infill extensions of a) 39m and b) 553m, erection of building for relocated indoor play centre 598m, siting of Portakabin sales office (35m), change of use of open sales area to outdoor play area, change of use of car park to an
N/06/02095/S73A - Full planning permission Decision - Approve with Conditions Date: 28/11/2006 – Variation of Condition 6 of 99.02746 (Retail Sales)
N/88/01408/REM - Reserved Matters Decision - Approved Date: 1/9/1988 – DETAILS OF GLASSHOUSES AND LAYOUT OF CARPARK
N/93/00010/FUL - Full planning permission Decision - Approve with Conditions Date: 18/5/1993 – EXTENSION TO GARDEN CENTRE/NEWPOLYTUNNEL CANOPIES/PERGOLA/ ENTRANCE CANOPY AND 2.4M HIGH FENCE AND ADDITIONAL RETAIL SALES EXTENSION TO GARDEN CENTRE
PL/2021/09776 - Full planning permission Decision - Approve with Conditions Date: 11/1/2022 – Extension to existing craft units, extension to garden centre retail area (pet shop), three canopy extensions and a pergola and the demolition of 106 square metres of existing floorspace
PL/2022/05941 - Approval of details reserved by a condition Decision - Approve Date: 21/9/2022 – Discharge of condition 3of PL/2021/09776

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

- The Town and Country Planning Act 1990 (as amended)

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 19 Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area;
- Core Policy 35 Existing Employment Land;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 64 Demand Management
- Core Policy 67 Flood Risk.

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024).

Draft Wiltshire Local Plan

At Full Council on 19th May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. It will now be subject to a legal process to finalise its withdrawal - which is likely to happen in July or August (2026). The said Plan has no material weight for the purposes of the application.

ISSUES

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

- Principle of development;

- Design, visual and landscape impact;
- Highways safety.

CONSULTATION RESPONSES

WC Highways: No objection

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; and
- A site notice displayed near the site.

No responses to the public consultation were received.

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

The principle of a replacement structure within an existing commercial site is considered to be acceptable. Subject to the replacement structure being in compliance with the design and environmental protection policies of the development plan.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 51 of the Wiltshire Core Strategy requires development to:

- Protect, conserve, and enhance landscape character and quality.
- Respect local distinctiveness, key views, and visual receptors.
- Give particular weight to impacts on National Landscapes (formerly AONBs) and locally valued landscapes.

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.

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

The replacement canopy is taller than the existing structure and, at the highest point it would be approx.. 0.4 metres taller than the adjacent building. However, given the arching form of the roof and majority of the new canopy would be lower than the adjacent garden centre building (and on a significantly smaller footprint). As such, it would be seen as a subservient addition to the building, even though it would be taller than the existing canopy.

Materials are broadly the same as the existing canopy and not uncommon for a structure of this type (commonly encountered at garden centres across the country).

The canopy is also set adjacent to the much larger main retail and leisure building set away from the public highway. The wider site boundaries are populated by tall established hedges so any views of the new canopy within public or wider landscape views would be predominantly screened and within the context of a much larger built form.

The proposal is considered to comply with the aims of Core Policies 51 and 57 of the WCS.

Highways matters

The footprint of the replacement canopy would broadly match that of the existing structure, not extending any further into the adjacent car park than the current situation. No impact on parking or pedestrian safety would occur. Similar, there would be no impact on the car parking drainage situation or flood risk as the new structure would connect into the existing surface water systems on the same footprint.

Biodiversity Net Gain

The development site comprises an existing hard-surfaced entrance to a large garden centre building. No natural habitat would be affected and the proposal benefits from the de minimis BNG exemption.

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;

Subject to the conditions recommended throughout this report, the proposal is considered to be compliant with relevant local and national planning policies in respect of design, scale, landscape impact, highway safety, flood risk and drainage, ecology and biodiversity.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions:

1. Time limit;

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. Approved plans.

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

- MSC1726-84A – Elevations;
- MSC1726-80D – Floor and Roof Plans;
- MSC1726-83B – Proposed Block Plan.

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

INFORMATIVE NOTES

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.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be exempt under the de minimis exemption.