

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02167
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	Small Cottage, 35 Church Road, Hilmarton, Calne, SN11 8SE
DEVELOPMENT DESCRIPTION:	A new garden room
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site comprises the residential curtilage of Small Cottage, 35 Church Road, a Grade II listed dwelling located within the village of Hilmarton. The property is set within an established residential area characterised by a mix of historic and traditional dwellings, with private gardens and mature boundary treatments. Hilmarton Preschool is sited directly south of the proposal site and separated by mature vegetation and fencing.

The proposed development is located within the very rear garden of the property which is location approximately 39.0m from the main dwellinghouse. The reason for the separation is due to the oddly shaped rear garden, which is mainly located to the east elevation of the dwelling and then has a footpath that runs along the eastern boundary into another small pocket of garden located to the very south of the site. The site is enclosed by existing fencing and vegetation. The land is generally level and does not contain any significant changes in topography.

The site is subject to the following key constraints and designations:

- Residential Curtilage of a Grade II Listed Building
- Conservation Area- Hilmarton

HILMARTON CHURCH ROAD SU 07 NW (south side) 6/247 Nos 33 to 35 (consec) GV II Group of cottages, C17, timber frame and painted brick with thatched roofs. 1 1/2 storeys, L-plan front range with rear wing also. Main range has half-hipped west gable, two ridge stacks, rebuilt stack in angle to No 35, and north end stack. Nos 33 and 34 have long eyebrow over two casement pairs to left, one to right and ground floor painted brick porch to 34 to left, then cambered- head casement pair; No 33 to right has ground floor casement pair and door in enclosed painted brick porch. No 33 has some exposed framing, No 34 is brick. West end of No 33 has exposed jowled angle posts, tie-beam and dollar. Two-light C19 stone mullion ground floor window and casement pair above. East gable of 34 is painted brick with C19 two-light mullion window with leaded lights each floor. Rear wing to No 34 has exposed square framing on west side. No 35 has exposed framing on west front, one dormer gable to left and ground floor casement pair, door and lean-to. Brick north wall with exposed angle posts. East side has exposed framing with angle and tension bracing, door and two leaded casement pairs. Thin framing, possibly late C17.
Listing NGR: SU0218975295

An additional Location Plan has been submitted in support of the application to clarify the extent of the applicant's land ownership. The revised plan confirms that the applicant owns both No. 34 and No. 35 Church Road. As the application site falls wholly within land under the applicant's ownership and control, no additional land ownership notifications or consultations were considered necessary. The revised plan has been provided for clarity and completeness of the application submission.

PROPOSAL

The application seeks full planning permission for the erection of a single-storey timber-framed garden room within the rear garden. The proposed structure will measure approximately 2.0m by 3.0m and have a maximum height of 2.5m.

The building is intended for use as a hobby room and will be used for purposes incidental to the enjoyment of the existing dwellinghouse. The garden room will be located within an area of the rear garden, positioned away from the main dwelling.

The building will be of timber-frame construction with external walls finished in horizontal spruce cladding. Window frames will also be constructed from spruce. All external surfaces are proposed to be finished in a sage green colour.

PLANNING HISTORY

Proposal / Summary
No history relevant to this application.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Statutory Legislation:

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 8 Spatial Strategy for the Calne Community Area
- 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;

Draft Wiltshire Local Plan Policies

At Full Council on 19 May 2026, the elected members of Wiltshire Council agreed to withdraw the emerging Wiltshire Local Plan. The said Plan has no material weight for the purposes of the application.

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2026, on 30th June 2026 Wiltshire Council published a notice of intention to prepare a new local plan for Wiltshire. The next stage is a Scoping Consultation which commences on 2nd September 2026. This plan is at a very early stage and currently carries no weight for decision making.

Neighbourhood Plan:

Calne Community Neighbourhood Plan 2 2023-38 Made March 2025

- Policy BE1 Design Principles for Local Distinctiveness

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)

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 have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)
- Whether the scheme would have an acceptable landscape impact (CP 51)
- Whether there would be any harmful impacts upon protected species or priority habitats (CP 50)

CONSULTATION RESPONSES

The views of consultees are material considerations in the determination of the application. However, the decision-maker must exercise their own planning judgement. Where consultees

raise concerns or recommend conditions, these have been considered and are addressed within the assessment section of this report.

WC Conservation: The proposal would have a neutral impact on the setting of the group of listed cottages No's 33-35 Church Road.

Hilmarton Parish Council: No objection.

The consultee responses have been carefully considered. Whilst significant weight is afforded to specialist technical advice, the decision remains a matter for the Local Planning Authority and the officer assessment below reaches an independent planning judgement on the issues raised.

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.

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

Below is a summary of the representations received during the consultation period. 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 comments 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.

The assessment below considers each of the main issues identified above. Each topic is assessed in turn with reference to the relevant policy context, the evidence submitted, consultee responses, and all other material considerations, before a conclusion is reached.

Principle of Development

Policy Context

Core Policies 1 and 2 of the Wiltshire Core Strategy establish the overarching spatial strategy for Wiltshire and provide the policy framework for determining whether development is appropriately located. Together, these policies seek to direct growth towards the most sustainable locations whilst protecting the intrinsic character and beauty of the countryside. The strategy prioritises development within Principal Settlements, Market Towns, Local Service Centres and larger villages, whilst development in the countryside will only be supported where it accords with specific development plan policies or where material considerations indicate otherwise.

The NPPF also contains national policies relating to the location of development. Policies S3-S5 distinguish between development within settlements and development in the countryside, support sustainable patterns of growth, and require decisions to have regard to the role and function of settlements, accessibility to services and facilities, and other site-specific considerations.

The principle of development should be assessed having regard to the Development Plan as a whole, the NPPF and all other material considerations. The weight afforded to individual policies will depend upon the nature, scale and location of the development proposed.

Assessment

The application seeks planning permission for the erection of a detached garden room within the residential curtilage of an existing dwellinghouse.

The proposal does not involve the creation of a new dwelling, a change of use of the land, or any form of development that would alter the established residential use of the site. Instead, it represents ancillary development associated with the lawful use of the existing dwellinghouse.

The site is located within Hilmarton, which is identified as a Large Village under Core Policy 1 of the Wiltshire Core Strategy. As the proposal comprises a small-scale addition within the residential curtilage of an existing dwellinghouse, it represents an appropriate form of development within the settlement and would not conflict with the settlement strategy. Furthermore, Policy S4 of the National Planning Policy Framework (2026) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. In this instance, no such adverse effects arise in principle.

Furthermore, the proposal would not undermine the delivery strategy established by Core Policy 2. The development remains incidental to the existing residential use of the site and would not result in additional residential growth beyond that anticipated by the Development Plan. As such, the proposal is consistent with the presumption in favour of sustainable development set out in Policy S3 of the National Planning Policy Framework (2026). The proposal is therefore considered acceptable in principle, subject to assessment against all other relevant development plan policies and material planning considerations.

Conclusion

The proposal accords with Core Policies 1 and 2 of the Wiltshire Core Strategy and is supported by Policies S3 and S4 of the National Planning Policy Framework (2026). Accordingly, the principle of development is considered acceptable, subject to detailed consideration of all other material planning matters.

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.

Policies DP1 to DP4 of the NPPF promote development that is:

- Well-designed and visually attractive.
- Responsive to local character and context.
- Functional, accessible and sustainable.
- Supportive of healthy and inclusive communities.
- Resilient to climate change and environmental impacts.
- Conducive to the creation of high quality places and a positive 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.

Building for a Healthy Life Framework promotes healthy, inclusive, and sustainable places. The document encourages:

- Walkability.
- Access to green space.
- Active design principles for well-being.

Assessment

In assessing this aspect of the proposal, regard has been had to the site context, the details of the proposed development, the relevant development plan policies, and all other material considerations. The key considerations are set out below.

The proposal comprises a modest single-storey garden room measuring approximately 2 metres by 3 metres and positioned within the rear garden. Owing to its limited footprint and maximum height of 2.5 metres, the structure would remain a small-scale ancillary feature within the established residential curtilage.

The proposed garden room would be located within an enclosed area of the rear garden and would be screened by existing boundary treatments and vegetation. As such, it would have a limited presence within the wider street scene and would not appear as a prominent or visually dominant feature within the locality.

The design adopts a simple and functional form appropriate to its incidental domestic purpose. The use of horizontal spruce cladding and spruce window frames would provide a natural appearance, whilst the proposed sage green finish would assist the building in assimilating into its garden setting. The proposal therefore responds appropriately to its context and would appear as a subordinate garden structure rather than a substantial extension to the dwellinghouse.

The proposed garden room would be sited on an area of existing concrete slabs within the rear garden. As a result, the development would require minimal site alteration and no significant groundworks, allowing the structure to be accommodated within the garden without materially changing the established character or appearance of the site.

Conclusion

Having regard to the above, it is considered that the proposed garden room is of an appropriate scale, form and appearance for its setting and would not result in harm to the character or appearance of the site or surrounding area. The proposal is therefore considered to accord with Core Policy 57 of the Wiltshire Core Strategy and the design objectives 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 16 (Listed Building Consent)/Section 66 (Planning Permission) 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.

Paragraph 58B of the Planning Act 1990 requires that in considering whether to grant planning permission or permission in principle for the development of land in England which affects a registered park and garden, the LPA must have special regard to the desirability of preserving or enhancing the asset or its setting.

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 heritage policies (HE1-HE10) require local planning authorities to identify and assess the significance of any heritage asset that may be affected by a proposal, including the contribution made by its setting. Decision-makers should take account of the desirability of sustaining and enhancing the significance of heritage assets, securing their optimum viable use where consistent with their conservation, and ensuring that new development makes a positive contribution to local character and distinctiveness.

When determining applications affecting heritage assets, great weight should be given to their conservation. The more important the asset, the greater the weight that should be afforded to its conservation. Any harm to, or loss of, the significance of a designated heritage asset must be supported by clear and convincing justification.

Where a proposal would result in harm to the significance of a designated heritage asset, that harm must be clearly identified and categorised. The level of harm should then be weighed against the public benefits of the proposal in accordance with the relevant heritage policies of the NPPF.

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

In assessing this aspect of the proposal, regard has been had to the significance of the designated heritage asset, the details of the proposed development, the statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant policies of the Development Plan, and the provisions of the NPPF.

The application site lies within the Hilmarion Conservation Area and forms part of the residential curtilage of Small Cottage, 35 Church Road, a Grade II listed building.

The proposed garden room would be located within the rear garden and would remain physically detached from the listed building, occupying a discreet position within the curtilage which is separated from the principal heritage asset by intervening garden space. Building would be constructed on existing concrete slabs and would not involve alterations to the listed building itself or any historic fabric associated with it.

In considering the proposal's effect on the significance of the designated heritage assets, particular regard has been given to its impact on the setting of the listed building and the character and appearance of the Conservation Area. Owing to its modest scale, ancillary domestic function, separation from the listed dwelling, and discreet location within the rear garden, the proposal would appear as a subordinate garden structure. The use of natural timber materials and muted colouring would further help ensure that the building does not compete visually with the historic dwelling or detract from the character and appearance of the Conservation Area.

The Council's Conservation Officer has considered the application and advised that the proposal would have a neutral impact on the setting of the group of listed cottages Nos. 33-35 Church Road.

Having regard to the scale, siting and nature of the proposal, it is considered that the development would preserve the setting and significance of the Grade II listed building and the wider group of listed cottages. Furthermore, the proposal would preserve the character and appearance of the Hilmarton Conservation Area. No harm to the significance of any designated heritage asset has been identified and, as such, there is no requirement to undertake the balancing exercise.

Conclusion

Having regard to the above, it is considered that the proposal would preserve the significance and setting of the Grade II listed building and the wider group of listed cottages. The development would result in no harm to designated heritage assets and would therefore comply with the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policy 58 of the Wiltshire Core Strategy, and the heritage objectives 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.

Policy P3 of the NPPF requires development to contribute positively to the creation of healthy, safe and inclusive places. In particular, the policy seeks to ensure that development provides a high standard of amenity for existing and future users and safeguards the reasonable living conditions and environment of neighbouring occupiers and the surrounding area.

These policies guide the assessment of amenity impacts. Each of the below matters has been assessed having regard to the specific site context and layout of the proposal.

Overlooking / loss of privacy

The submitted details indicate that the building would not contain windows positioned to directly overlook neighbouring properties or private garden areas. Given its siting within the enclosed garden and its intended use as a hobby room, the proposal is not considered to give rise to any material overlooking or loss of privacy for neighbouring occupiers.

Loss of light / overshadowing

The proposed structure is modest in scale and would be single storey in form. Having regard to its limited size and position within the rear garden, it is not considered that the development would result in any significant loss of daylight, sunlight, or overshadowing to neighbouring properties or their associated private amenity spaces.

Overbearing Impact / Overall sense of enclosure

The proposed garden room would occupy a relatively small footprint within the established garden area and would remain subordinate to the host dwelling. By reason of its scale, height, and positioning within the site, the development would not appear unduly dominant or visually intrusive when viewed from neighbouring properties. Accordingly, the proposal would not result in an unacceptable overbearing impact or an undue sense of enclosure.

Ecology and Biodiversity

Policy Context

Core Policy 50 of the WCS Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. Policy N2 of the NPPF seeks to ensure that development contributes positively to the natural environment and supports nature's recovery. Development proposals should conserve and enhance biodiversity, minimise adverse impacts on habitats and species, strengthen ecological networks where appropriate, and identify opportunities for biodiversity enhancement.

Proposals must assess and address potential effects on:

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

Biodiversity Net Gain (BNG) is an approach to development seeking to ensure that habitats for wildlife are left in a measurably better state than they were before the development. As of 12 February 2024 (2 April 2024 for smaller sites) BNG is mandatory in England under the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means developers must deliver a BNG of 10% to ensure development will result in more or better quality natural habitat than there was before development.

BNG

The proposal relates to the erection of a small, detached garden room with a footprint of approximately 6 square metres. As the development involves less than 25 square metres of habitat impact, it is exempt from the mandatory Biodiversity Net Gain (BNG) requirements.

The proposal must nevertheless demonstrate compliance with Core Policy 50 of the Wiltshire Core Strategy and the relevant provisions of the NPPF by ensuring there is no unacceptable harm to biodiversity interests.

Assessment

In assessing this aspect of the proposal, regard has been had to the site context, the details of the proposed development, the relevant development plan policies, and all other material considerations.

The proposed garden room is to be erected within the existing residential curtilage of the property on an area of existing concrete slabs. As such, the development would not result in the loss of any habitat of ecological value, including trees, hedgerows, grassland, or other features likely to support protected species.

No trees are proposed to be removed or affected by the development, and no alterations are proposed to existing boundary vegetation. The proposal is therefore unlikely to adversely affect ecological networks or green infrastructure within or adjacent to the site.

Given the scale and nature of the proposal, together with its location within a managed domestic garden, it is not considered likely to result in impacts upon protected species, priority habitats, or designated ecological sites.

Conclusion

Having regard to the above, it is considered that the proposal would not result in any unacceptable impacts on biodiversity interests, protected species, priority habitats, ecological networks, or green infrastructure. The development therefore accords with Core Policy 50 of the Wiltshire Core Strategy and the biodiversity objectives of the NPPF.

Trees and Arboricultural Impact

Policy Context

Core Policy 51 of the Wiltshire Core Strategy seeks to protect and enhance landscape character, including important trees and woodland features.

Policy N2 of the NPPF requires decision-makers to consider the environmental qualities of land proposed for development and to conserve and enhance existing natural features of visual, historic or nature conservation value, including established trees and hedgerows where possible. The policy also seeks to ensure that landscaping and natural features are used to help integrate development into its surroundings.

Assessment

The application site lies within the Hilmarton Conservation Area, within which trees are afforded additional protection. There are two mature trees located in proximity to the proposed development. Consideration has therefore been given to the potential impact of the proposal on these trees and their contribution to the character and appearance of the Conservation Area.

As the development will utilise an existing hardstanding, there is no requirement for significant excavation works or the installation of substantial new foundations.

No tree removal, pruning, or other arboricultural works are proposed as part of the application. Furthermore, the development would not necessitate any encroachment into the existing tree canopy and is not considered likely to adversely affect the health, stability, or longevity of the nearby trees.

Having regard to the limited scale of the proposal and the fact that it would be constructed on an existing slab base, it is considered that the development would have a negligible impact on the nearby trees and would not prejudice their continued retention.

Conclusion

It is considered that the proposal would not result in unacceptable harm to existing trees within the site or the wider Conservation Area. The development is therefore considered to accord with Core Policy 51 of the Wiltshire Core Strategy and Policy N2 of the NPPF.

Public Sector Equality Duty

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard

to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

PLANNING BALANCE AND CONCLUSION

The proposal has been assessed against the relevant policies of the Development Plan and all other material considerations. The development is considered acceptable in principle and complies with the relevant policies relating to design, heritage, residential amenity, landscape, and biodiversity. No material planning harms have been identified, and no objections have been raised by either Hilmarton Parish Council or the Council's Conservation Officer.

Having regard to the above, it is considered that the proposal accords with the relevant provisions of the Wiltshire Core Strategy and the National Planning Policy Framework (2026). The development would preserve the character and appearance of the Conservation Area, preserve the setting of the Grade II listed building, and would not result in any unacceptable impacts upon neighbouring amenity or the wider environment. Accordingly, the proposal is considered acceptable in planning terms and planning permission is recommended for approval, subject to the conditions set out below.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions:

All conditions imposed have been assessed against the six tests set out in paragraph 56 of the National Planning Policy Framework and are considered to be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

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 and documents:

Location Plan (Revised); Received 24 August 2026
Planning Statement; Received 22 May 2026
Application Form; Received 22 May 2026
Proposed Site, Floor and Elevation Plan; DWG No. P3; Received 27 April 2026
Existing Site Plan; Received 27 April 2026

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those in the approved plans and application form.

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

INFORMATIVE

The red line plan submitted with the application contains land that, in the view of the Local Planning Authority, is not within the residential curtilage of the main dwelling and may not otherwise be in lawful residential use for planning purposes. Based on the information provided, however, the Local Planning Authority is satisfied that this is not land necessary for the carrying out of the development hereby permitted, and it has not therefore considered it necessary to ascertain the current lawful use of the land; however, and for the avoidance of doubt, the applicant is reminded that the red line plan serves only to identify the land in respect of which the application has been made and that a householder application and decision notice in no way lawfully changes the use of any land within said red line plan. This shall not preclude an application for change of use to be considered by the Local Planning Authority, and the applicant may apply for a Certificate of Lawfulness if they later deem it necessary to demonstrate an established lawful use of any of the land.