

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00576
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	39 Sunderland Close, Bowerhill, Melksham, SN12 6TZ
DEVELOPMENT DESCRIPTION:	Proposed Two Storey Rear & Single Storey Side Extensions & Landscaping of Garden
RECOMMENDATION:	That Planning Permission be GRANTED

39 Sunderland Close (the 'site') is a residential property on the corner of Sunderland Close and Mitchell Drive and it is situated in the southwestern area of Bowerhill (designated a Market Town in the Core Strategy).

In terms of wider context, Sunderland Close is part of a residential estate approved in the late 1970s and is predominantly characterised by a variety of detached, semi-detached and short terrace two-storey house types, which typically have pitched roof forms, red brick walling and concrete tile roofing. In terms of immediate surroundings, the site adjoins two storey dwellings to the north and east, Mitchell Drive to the south and Sunderland Close to the west.

Turning to the site, No. 39 is occupied by a modern detached two-storey dwelling, an adjoining lean-to shed on the south side elevation and its associated amenity space (including a front drive and side and rear garden). The dwelling comprises the pitched roof range, a front single storey aspect with a mono-pitched roof and a rear single storey element. Its external materials include red brick walling and concrete tile roofing. The dwelling is on ever-so-slightly higher ground than No. 38 to the north and slightly lower ground than No. 34 to the rear.

The application site is not subject to any planning policy designations/constraints pertinent to the assessment of this application.

PROPOSAL

The proposal comprises a two-storey rear extension, a single-storey side extension, and external alterations, together with associated demolition, access and landscaping works.

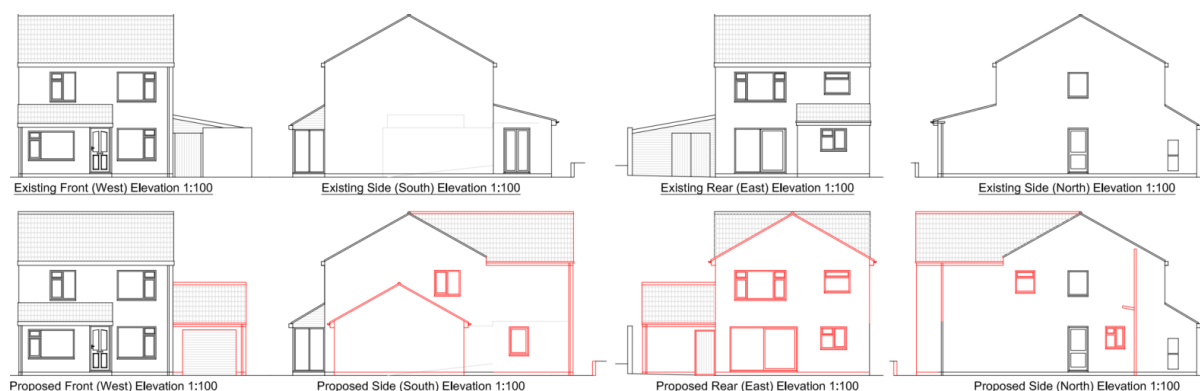
The rear extension would enlarge the existing kitchen and dining area and provide an additional en-suite bedroom, resulting in a four-bedroom dwelling overall. It has a pitched roof and measures circa 3.7m long and 7.3m wide, with eaves at 5.4m and a ridge height of 7.6m.

The side extension would replace the existing shed with a larger store. It has a pitched roof and measures circa 6m long and 3.4m wide, with eaves at 2.5m and a ridge height of 4.3m.

The external alterations include the insertion of a utility room window on the ground floor and an obscure glazed bathroom window on the first floor of the north elevation and a new bedroom window on the first floor of the south elevation.

The external materials proposed include red brick walling, concrete tile roofing and uPVC door and windows, matching the materials palette of the host dwelling.

The access and landscaping works include widening the existing drive to provide parking for 3 cars and minor land grading in the rear garden to facilitate the rear extension. The existing and proposed elevations are shown below.



Existing and proposed elevations with changes indicated by the red lines.

A revised proposed site plan was received showing three parking spaces required for a house with 4+ bedrooms.

PLANNING HISTORY

Relevant Planning Records			
Reference	Description	Decision	Date
W/78/00610/FUL	Single storey side and rear kitchen extension	Approved	11/01/1979
W/04/02332/FUL	Residential Development	Approved	31/01/2005

It is important to note that condition 5 of planning permission W/78/00610/FUL removed permitted development rights for domestic extensions and means of enclosure:

5. *Notwithstanding the provisions of the Town & Country Planning General Development Order 1997, in order to enhance the appearance of the estate as a whole, no extension shall be carried out to any dwelling, no additional garages constructed and no gates, fences, walls or other means of enclosure erected or maintained in front of the forwardmost part of the front of any dwelling or in front of the flank/screen walls on return frontages, without permission granted on an application in that behalf under Part III of the Town & Country Planning Act 1971.*

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Wiltshire Core Strategy (adopted January 2015):

- Core Policy 41: Sustainable construction and low-carbon energy
- Core Policy 57: Ensuring high quality design and place shaping
- Joint Melksham Neighbourhood Plan 2 2020-2038 (made August 2025):
 - Policy 1: Sustainable Design and Construction
 - Policy 20: Locally Distinctive, High-Quality Design

Material Considerations (Policy):

- National Planning Policy Framework (NPPF) December 2024
 - Section 2. Achieving sustainable development
 - Section 12. Achieving well-designed places
- The Emerging Wiltshire Local Plan (Regulation 24)*:
 - Policy 4: Addressing climate change
 - Policy 85: Sustainable construction and low carbon energy
 - Policy 98: Ensuring high quality design and place shaping

*The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

Material Considerations (Guidance):

- National Planning Practice Guidance
- National Design Guide (January 2021)
- Wiltshire Design Guide (March 2024)
- Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

CONSULTATION RESPONSES

Melksham Without Parish Council: No objection.

Wiltshire Council Highways: No objection, subject to a condition requiring the expanded access be implemented prior to first use of the extension (see condition 5). The comment also features an informative regarding the requirement for a highways licence to implement the approved access (see informative 1).

REPRESENTATIONS

No third-party comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with this requirement, this application has

been assessed against the relevant policies of the development plan and the material considerations listed above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Design
- Neighbouring amenity
- Transport

Design

Core Policy 57 of the Wiltshire Core Strategy requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics. This requirement is carried forward in draft Policy 98 of the emerging Wiltshire Local Plan.

Policy 20 of the Neighbourhood Plan requires that proposals contribute positively to the conservation, enhancement and extension of the quality and local distinctiveness of the plan area. Proposals are required to demonstrate how they are informed by Melksham Design Guidelines and Codes.

Appendix D of the Wiltshire Design Guide states that extensions should be subservient to and respect the scale, form, appearance and character of the host dwelling and should harmonise with its context.

The layout of the proposed extensions, positioned to the side and rear of the dwelling with relatively moderate footprints, is acceptable. The two-storey rear extension represents a sizeable addition, reflecting the width and ridge height of the host dwelling. However, its 3.7m length is relatively moderate and its eaves sit 0.2m below those of the main roof. As such, while the extension is somewhat bulky, its scale is acceptable. The single-storey side extension is wholly appropriate and proportionate in scale. The appearance of the proposed development in terms of form, style and materiality reflects that of the host dwelling which is appropriate.

Having regard to the above, the proposal is considered to achieve an acceptable standard of design appropriate to its setting. It therefore complies with Core Policy 57, Neighbourhood Plan Policy 20 and the Wiltshire Design Guide.

Neighbouring Amenity

WCS Core Policy 57(vii) requires that development be compatible with the adjoining uses and protect the residential amenity of existing and future users of the site and its surroundings, including in respect of natural lighting, privacy, outlook and pollution sources.

The Design Guide states that minimum garden areas for all houses should be equivalent to the footprint of the house, 10-12m long for two-storey properties and that a back-to-back

separation distance of minimum 20m should be provided. The guide also refers to the BRE Site layout planning for daylight and sunlight as an appropriate source for assessing proposals. Appendix D of the guide states that extensions should not be unduly overbearing or obtrusive to neighbouring properties.

The site has a side-to-side relationship with No. 38 to the north, with both dwellings aligned on a north-south axis, and the application site sitting slightly higher. Given the height and depth of the proposed two-storey rear extension, some effect on the natural light received by No. 38 is anticipated.

Under BRE guidance, proposals are generally acceptable where they do not breach a horizontal 45-degree line or vertical 25-degree line taken from the centre of the nearest habitable-room window. No. 38 has a 3-3.5m deep conservatory spanning the rear elevation. The proposed rear extension would not infringe either test when measured from the nearest conservatory window. Even disregarding the conservatory, the extension would still comply with the horizontal 45-degree test taken from the closest first-floor window. The proposal is therefore likely to maintain an acceptable level of daylight for No. 38.

Regarding sunlight, BRE guidance recommends that habitable rooms receive at least 1.5 hours of direct sunlight on 21 March (ideally 3 hours+). High-level modelling indicates that the rear extension would cause some additional overshadowing of the southern quarter of the conservatory from approximately 09:30 onwards (compared with around 12:00 at present). Nonetheless, the conservatory would still receive about 3 hours of morning sunlight, and most of the rear elevation of No. 38 would remain unaffected due to the sun's angle on 21 March. The southern half of the garden would experience a 1-2 hour reduction in sunlight. Overall, the impact is considered to be within acceptable parameters.

To the east, the proposal has a rear-to-side relationship with No. 34, which sits slightly higher. Its side elevation is blank except for a glazed door. While the Design Guide sets no specific standard for this relationship, various best-practice documents support a 10-15m back-to-blank-wall separation. The rear extension would be 10.5m from No. 34's side elevation, which is considered acceptable given the context.

Overall, the proposal would provide adequate natural light and outlook for neighbouring properties. The fenestration would not cause unacceptable overlooking, and a condition is recommended to ensure the bathroom and en-suite windows are obscure-glazed. Sufficient amenity space would also be retained for the host dwelling. Consequently, the proposal complies with Core Policy 57(vii), and the Design Guide.

Transport

WCS Core Policy 64 requires that development proposals comply with parking standards set out in the Local Transport Plan (which requires that 4-bedroom dwellings are provided with 3 parking spaces at minimum).

The revised plans show that the existing drive would be widened to provide three parking spaces in accordance with the Council's parking standards. This has been confirmed as acceptable by the Highways Engineer, subject to condition 4 (which requires the drive

expansion be completed prior to the first use of the approved development). The proposal therefore complies with Core Policy 64.

CONCLUSION

The proposal is subservient to and harmonises with the host dwelling and wider street scene. It safeguards the residential amenity of the host dwelling and neighbouring properties and provides suitable access and parking. It is therefore considered to comply with the aforementioned sections and policies of the Wiltshire Core Strategy, emerging Wiltshire Local Plan, Joint Melksham Neighbourhood Plan 2 and Wiltshire Design Guide. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions and informatives:

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 and documents:

- Location Plan and Proposed Block Plan, ref: AH2025/85 Sheet 2 of 2 (dated 5th March 2026)
- Proposed Floor Plans and Elevations, ref: AH2025/85 Sheet 1 of 2 (dated 26th January 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 used in the existing building unless otherwise stated on the approved documents.

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

4. Before the development hereby permitted is first occupied, the first-floor bathroom window on the north side elevation and the first floor en-suite window on the rear elevation shall be glazed with obscure glass to an obscurity level of no less than level 3 and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

5. The development hereby permitted shall not be first brought into use occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

Informatives:

1. The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.