

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00307
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	The Heights, 262A Sandridge Hill, Sandridge Common, Melksham, SN12 7QX
DEVELOPMENT DESCRIPTION:	Single storey rear oak-framed extension with balcony above
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks planning permission for a single storey rear oak frame extension with balcony at The Heights, 262A Sandridge Hill, Sandridge Common, Melksham. Minor associated works comprise replacement of a window at first floor with doors opening onto the balcony, and internal reconfiguration.

During the life of the application, it was agreed with the applicant that the description of development should be amended to include reference to the balcony. Due to the location of the dwelling being some distance from its neighbours and surrounding tree planting, no further publicity or consultation was deemed to be necessary.

SITE DESCRIPTION

The existing property is a residential property set in reasonably expansive grounds. It is accessed from the A3102, which runs immediately alongside its boundary, but due to extensive vegetation, it is not readily visible from public vantage points.

Its nearest neighbour is located to the East of the site, and appears to be a commercial operation. There are no other residential properties which are located within proximity of the site.

The application site is located in the open countryside and, in other respects, is not subject to any other relevant planning policy constraints.

PLANNING HISTORY

Proposal / Summary
W/11/02393/FUL - Detached workshop, garage and store - Withdrawn
W/10/03223/FUL - Metal clad garage, store and workshop - Refused
W/85/01282/FUL - Demolition of existing dwelling and erection of new dwelling with annexe accommodation – Approved with Conditions

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 51: Landscape

Joint Melksham Neighbourhood Plan 2

- Policy 20: Locally Distinctive, High Quality Design

Wiltshire Design Guide

- Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Melksham Without Parish Council: No objection

Council Highway Engineer: No objection

REPRESENTATIONS

No comments 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 adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness. Policy 20: Locally Distinctive, High Quality Design of the Joint Melksham Neighbourhood Plan 2 states that development proposals should contribute positively to the conservation, enhancement and extension of the quality and local distinctiveness of the neighbourhood area.

The proposal comprises an oak framed single storey rear extension with a balcony above, and existing windows would be replaced with new doors at first floor serving the balcony. There are associated internal works. While the extension may be partially visible from Sandridge Hill, intervening existing boundary vegetation would partially obscure views. The balcony would be somewhat visible, but it is finished with glass, so it has a lightweight appearance. Furthermore, any views would be brief as the highway is at the national speed limit and there are no footpaths or rights of way in the immediate locality. The proposed structure would be ancillary, and the domestic scale and appearance of the proposals are appropriate within this residential setting.

Although the wider area benefits from open views to the south, the proposals are contained within the existing curtilage of the dwelling and would not be widely perceptible in the surrounding landscape. As such, the development would not adversely affect the character or appearance of the landscape.

Given the limited scale of the extension and the partial, intermittent nature of any views from passing vehicles, it is not considered that the development would result in harm in design or landscape terms.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy, Policy 20 of the Joint Melksham Neighbourhood Plan 2 and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to loss of light, overshadowing, loss of privacy, and overbearing effects.

In this case, the dwelling is set at a substantial distance from neighbouring properties, and the proposed works would not give rise to any unacceptable impacts in terms of loss of light, overshadowing, overlooking, or overbearing effects. The extension and balcony remain well contained within the plot, and no harmful change to neighbouring living conditions would result.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

Other matters

During the site assessment, it was noted that a substantial building is present within the application site. No relevant planning history has been identified for this structure and, as such, it is possible that it may breach planning control. However, this application does not reference the structure nor seek to regularise the situation and it is therefore not appropriate for the matter to be considered further. It will remain the responsibility of the applicant to satisfy themselves that they are not in breach of planning control and an informative should be added to the decision notice to that effect.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, or the amenities of neighbouring occupiers.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

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 and documents:

Location Plan AA/25/36/01
Proposed Site Plan AA/25/36/11
Proposed Floor Plans AA/25/36/12
Proposed Section AA/25/36/13
Proposed Elevations AA/25/36/14

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

Informatives

BNG not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (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. For further information on exempt developments please refer to:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

Building Regulations

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.

Extent of permission

The applicant is reminded that this permission extends only to that development which is shown on the approved plans and included in the description of development. The applicant should satisfy themselves that any other development or works which may have been carried out at the site does not breach planning control. Any such development or works which may have been undertaken will have been done so at the applicant's own risk and is potentially liable for enforcement action.