

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	22 April 2026
Application Number	PL/2025/09766
Site Address	Old Stable House, 12A High Street, Melksham, SN12 6JU
Proposal	Erection of pair of hinged steel gates across private driveway by attachment to wall of adjacent / neighbouring building
Applicant	Andrew & Joyce Griffin
Town/Parish Council	Melksham CP
Electoral Division	Melksham South ED
Type of application	Householder Planning Permission
Recommendation	Approve with Conditions
Case Officer	Andrew Thomas

REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE

The application is brought before the Planning Committee by virtue of Part 3, Section D3, Paragraph 2.3 of the Scheme of Delegation, which states that private applications submitted by elected members or their close relatives, that are subject to material objections, must be referred to a committee to determine and not be determined by officers. In this instance, the application is submitted by Cllr Griffin and his wife to which the parish council and third-party objections have been received pursuant to heritage asset impacts of the aforementioned proposal. This will be discussed further in the following report.

1. PURPOSE OF REPORT

The purpose of this report is to assess the merits of the proposed development against the policies of the development plan and other material considerations. Having considered these, the report recommends that planning permission be approved subject to planning conditions.

2. MAIN ISSUES

The main issues in the consideration of this householder application seeking planning permission, are the design and visual impact of the proposed gate, its effect on the character and setting of the adjacent heritage assets, and whether the development gives rise to any highway safety implications.

3. SITE DESCRIPTION

The application site comprises a narrow private alleyway leading directly off Melksham High Street within the Melksham Conservation Area, situated between two Grade II listed buildings at 12 and 14 High Street. The alleyway is not a public right of way and functions

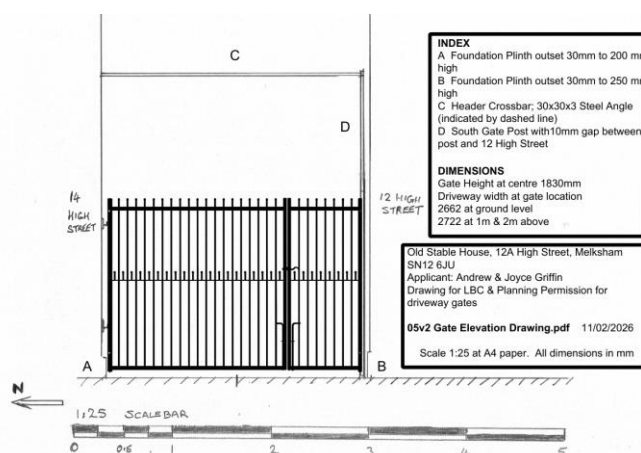
exclusively as a private access route to Old Stable House and its associated courtyard and buildings located to the rear of the High Street frontage. The immediate surroundings are characterised by historic commercial and residential properties typical of the town-centre conservation area, with the alleyway forming part of the historic curtilage arrangement associated with the former New Crown Inn stables. The site lies off a Grade C highway and sits within a tightly enclosed built context defined by the neighbouring listed structures.

4. RELEVANT PLANNING HISTORY

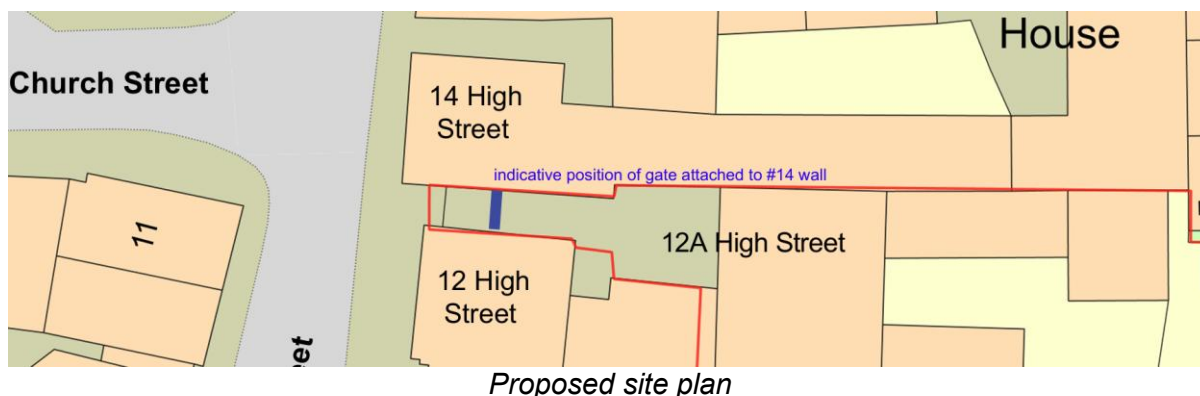
Reference No.	Proposal / Summary	Decision
W/86/00563/FUL	Change of use from domestic accommodation to multiple occupation (6 bed sits)	Approved
PL/2022/02903	Permanent change of use of 2 buildings from use class E (commercial, business and service) to class C3 (dwellinghouses). Construction of ground floor rear extension to one building (building A) to form kitchen. Replacement of all windows and external doors on all 3 buildings with upvc double glazed units. Internal works to all 3 buildings including new or reconfigured staircases, new kitchen and bathroom facilities. Installation of external air source heat pumps to all 3 buildings.	Approved

5. PROPOSAL

The proposal seeks planning permission for the installation of a new pair of metal driveway gates within the existing private alleyway access serving Old Stable House (12A High Street), set between Nos. 12 and 14 High Street. The gates are proposed as an asymmetric steel pair, inward-opening, 1.83 m in height, that would be fixed partly to the listed building at No. 14 and partly to a new gate post adjacent to No. 12. The gate is intended to control access to the private driveway and courtyard to the rear. The works include associated hinge plates, fixings, and ground anchor points, with the gates positioned more than 5 m back from the High Street to ensure no obstruction to the public highway.



Proposed gate and application site



6. CONSULTATIONS

Melksham Town Council – Objects on the basis of the impact of the gate on the conservation area and concerns relating to access for neighbours (although the TC note that the latter point is not a material consideration).

Conservation (Wiltshire Council) – No objection, subject to a condition to ensure that the final finish of the gates is controlled so that their appearance remains appropriate to the listed buildings and conservation area.

Highways (Wiltshire Council) – No objection.

7. REPRESENTATIONS

The application was publicised by letters posted to near neighbours, and a publicly displayed site notice. Three comments of objection have been received from two households citing the following points of concern:

- The proposed lockable gates (across a narrow-shared access) would impede safe and convenient pedestrian and vehicular movement, creating potential hazards where vehicles may be required to stop, wait or manoeuvre in constrained positions.
- The gates would cause noise, disturbance and inconvenience for multiple users of the access, and increase the likelihood of conflict, and interfere with established rights of way relied upon by residents, businesses, deliveries and emergency services.
- The gates would harm the character and setting of the listed building and conservation area, noting that the gates and associated overhead structure would introduce intrusive and unjustified physical interventions into historic fabric.
- The development is motivated principally by a desire to restrict access rather than any legitimate planning or security need, particularly given the existence of other substantial security measures on site.
- The application should be refused.

8. PLANNING POLICY

Wiltshire Core Strategy (adopted Jan 2015)

- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 57 Ensuring High-Quality Design and Place Shaping;
- Core Policy 58 Ensuring Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport and Development;

- Core Policy 64 Demand Management;
- Core Policy 67 Flood Risk;

Joint Melksham Neighbourhood Plan 2 2020-2038 (JMNP2), made August 2025

Emerging Policy – Wiltshire Local Plan Review

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. Draft policies duly considered for this application:

- Policy 1 Settlement Strategy
- Policy 85 Sustainable construction and low carbon energy
- Policy 88 Biodiversity and Geodiversity
- Policy 89 Biodiversity Net Gain
- Policy 95 Flood Risk
- Policy 98 High Quality Design and Place Shaping

Other Relevant Policy and Guidance

- The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)
- Wiltshire Design Guide
- The Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015).
- The Wiltshire Local Transport Plan 4 (LTP4) (March 2025)

9. PLANNING CONSIDERATIONS

9.1 Principle of Development

9.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 establishes that planning decisions must be taken in accordance with the adopted development plan unless material considerations indicate otherwise. In line with this statutory duty, the proposal has been assessed against the policies of the Development Plan, including the Wiltshire Core Strategy (2015) and the made Joint Melksham Neighbourhood Plan, which collectively provide the strategic framework for managing development in Melksham.

9.1.2 The acceptability of the proposal is subject to an assessment of the heritage impacts, residential amenity effects, highway safety impacts, and environmental constraints which are considered in the following sections.

9.2 Design, Character, and Heritage Impact

9.2.1 Adopted WCS Core Policy 57 requires new development to deliver high-quality design that positively reflects local character and distinctiveness, a principle reinforced by emerging Policy 98, which expects proposals to respond sensitively to landscape and townscape features such as scale, massing, materials, and building line. WCS Core Policy 58, together with emerging Policy 99, emphasises the need to conserve and, where appropriate, enhance the significance of heritage assets and their settings. These local policy requirements align with national guidance in the NPPF, including paragraphs 212 and 215, which require that great weight is given to the conservation of heritage assets and that any harm must be clearly justified, as well as Section 72(1) of the Planning (Listed Buildings

and Conservation Areas) Act 1990, which places a statutory duty on decision makers to pay special attention to preserving or enhancing the character or appearance of conservation areas.

9.2.2 The proposal would involve the installation of a modest steel gate finished in black and positioned several metres back from the High Street that officers consider would be visually recessive and an unobtrusive feature when viewed from the public realm. Its simple vertical-bar form and dark finish would ensure it would not draw the eye or disrupt the established character of the alleyway entrance. The design would also reflect elements already present in the immediate context, including a comparable metal gate on the opposite side of No. 14 High Street, as well as other dark-coated metal structures found along the High Street, such as fencing, lamp columns, and crossing infrastructure. These shared characteristics would assist in integrating this proposal into the streetscene.



Site Visit – Existing gate between No's 14 and 16, and application site

9.2.3 The applicants have outlined in their Design and Access statement that historic evidence supports that the alleyway was previously gated. Although historic photographs do appear to suggest that this entrance was formerly gated, the assessment does not rely on this precedent; the proposal is sufficiently minimal in bulk, open in form, and visually recessive to have negligible effect on the area's wider character, even in the absence of historic continuity.



Streetview and circa 1880 appearing to show historic gated access.

9.2.4 The gate would be fixed to the southern external elevation of No. 14 High Street, a Grade II listed building, with the opposite side supported by a free-standing post positioned off No. 12 High Street, also listed. This arrangement avoids any physical intervention into the fabric of No. 12 and limits the attachment to No. 14 to only two modest hinge fixings. The section of elevation affected already exhibits signs of historic vehicle impacts, indicating that this part of the building has experienced minor alterations over time, and the extremely small extent of intervention being proposed would not meaningfully erode historic fabric or diminish the building's architectural significance.

9.2.5 The Council's conservation officer has confirmed that the simplified vertical-bar design proposed would be sympathetic to the setting, and that its impact on the conservation area and adjacent listed buildings would be neutral. Against standard heritage practice and the statutory and policy tests requiring special regard and great weight to the conservation of heritage assets, the limited and reversible physical impact falls well below the threshold associated with "*less than substantial harm*."

9.2.6 For the reasons above, the design is considered visually appropriate, contextually coherent, and of minimal impact, while the heritage implications are extremely limited and assessed as being neutral by both professional judgement and statutory policy benchmarks. The proposal therefore complies with the relevant local and national design and heritage policies, and the development is considered acceptable.

9.3 Neighbouring Amenity Impacts

9.3.1 WCS Core Policy 57 (criterion vii) requires development to protect the amenities of neighbouring properties, and paragraph 135 of the National Planning Policy Framework similarly expects proposals to safeguard a high standard of amenity for existing and future users. These policies collectively ensure that new development is assessed for effects on outlook, privacy, natural light, noise, and general living conditions.

9.3.2 In this case, the installation of a single, open-bar steel gate within an existing alleyway would result in has no material planning harm to the amenities and living conditions of nearby occupiers. The gates would be positioned away from windows or private outdoor spaces and would not cause overshadowing or loss of light due to its limited height and permeable design and does not create enclosure or overbearing effects. The nature and scale of the development mean it would not introduce any material noise, activity, or disturbance. The introduction of gates may result in some inconvenience to users of the access, but this is not a substantive material consideration for the purposes of the planning application. The proposal therefore presents no adverse effect on neighbouring amenity and is fully compliant with Core Policy 57 (vii) and Appendix D of the Wiltshire Design Guide.

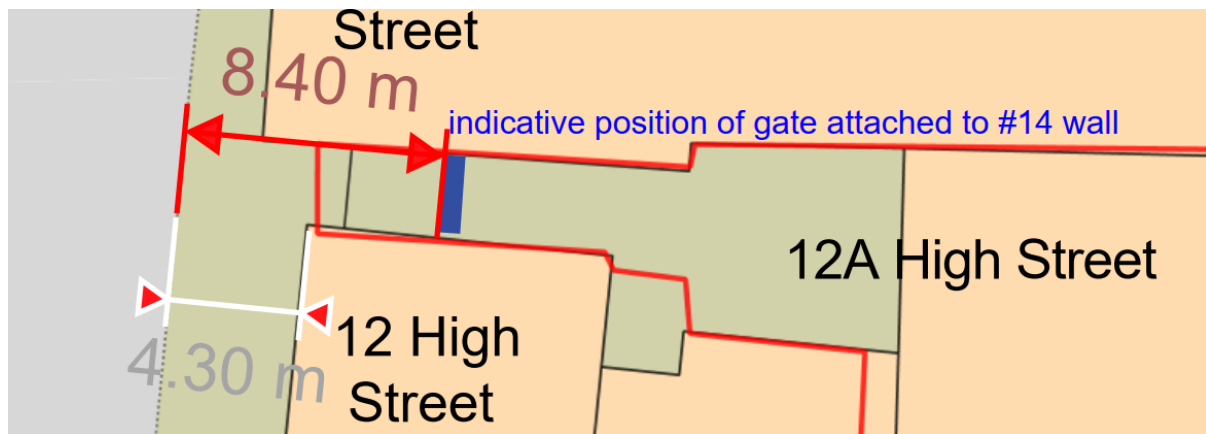
9.4 Transport and Highway Impacts

9.4.1 Adopted WCS Core Policies 60 and 61 require development to ensure safe and efficient movement for all transport users and to demonstrate an appropriate and safe means of access to the highway network. Paragraph 116 of the National Planning Policy Framework furthermore clarifies that *development should only be refused on highway grounds where it would result in an unacceptable impact on highway safety or where residual cumulative impacts would be severe*.

9.4.2 In this case, the Council's highways officer has raised no objection to the proposal, indicating no identified conflict with these policy requirements.

9.4.2 The proposal relates to an existing established vehicular access from the High Street, and the installation of a gate would not introduce any new movements across the

pedestrian pavement. The gate is positioned approximately 8.4 m back from the highway, with around 4.3 m of space before the narrower alleyway begins, providing ample off-highway standing space for vehicles to stop while the gate is opened or closed. As such, the arrangement would not impede traffic flows along the High Street nor cause obstruction to pedestrian or vehicular movement. Given the nature, scale, and positioning of the gate, the development is not considered to give rise to any adverse highway safety implications and is therefore acceptable in highway terms.



Annotated proposed site plan

9.5 Other Matters

9.5.1 Adopted WCS Core Policy 50 expects proposals to avoid and reduce disturbance to sensitive species and habitats, and national legislation now secures Biodiversity Net Gain (BNG) through Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021), with emerging Local Plan Policy 88 reiterating the mitigation hierarchy and protection of features of nature conservation value. This proposal is for a single metal gate within an existing, entirely hard-surfaced alleyway and does not introduce land take, vegetation loss, lighting, or operational effects; householder applications are exempt from mandatory BNG. On this basis, no ecological effects are reasonably anticipated, and no specific mitigation is required.

9.5.2 Core Policy 67, emerging Policy 95, and the NPPF's risk-based sequential approach require new development to manage flood risk and surface water appropriately. The gate would not increase impermeable area, alter site levels, or introduce drainage infrastructure; it is a lightweight addition within existing hardstanding and has no credible pathway to increase run-off or flood risk. Accordingly, there are no drainage implications arising from the development.

9.5.3 Concerns have been raised regarding potential restriction of a private right of way, emergency/service access, and heritage impacts. For validation/notification purposes, holders of private easements are not "owners" under the Development Management Procedure Order and private rights are civil matters outside the planning decision; granting permission would not override any private access rights. In planning terms, the scheme is assessed on its physical effects: the gate would be sited wholly within the private alley, set well back from the highway, would introduce no material noise or additional activity, and on the heritage impacts, the Conservation Officer raises no concerns to what is a simple, sympathetic design with a neutral impact on the conservation area and adjacent listed buildings. Matters such as day-to-day gate management, locking arrangements, deliveries, or potential civil disputes are not material planning considerations.

10. CONCLUSION – the ‘Planning Balance’

In weighing the proposal against the Development Plan and all other material considerations, the scheme is judged to result in no policy conflict or identifiable harm. The proposed gate would be appropriately sited and of a modest scale, as well as being visually recessive, and contextually appropriate. The Council's conservation officer concludes that the gates would have a neutral heritage impact; there would be no substantive adverse effects on residential amenity, and no implications for ecology, highway impacts or drainage. Matters relating to private rights of way, gate management, or civil access arrangements fall outside the scope of the planning system and cannot reasonably justify refusal. As such, the proposal accords with the Wiltshire Core Strategy, the emerging Local Plan policies, and the NPPF. The development is therefore considered acceptable, and approval is recommended.

RECOMMENDATION

That the application be GRANTED planning permission subject to the following 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:

01 Design and Access Statement (5 February 2026)

02 Location Plan (4 February 2026)

04 Gate Plan Drawing (5 February 2026)

05 Gate Elevation Drawing (11 February 2026)

09 Site Plan Proposed (4 February 2026)

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

3.The gate hereby approved shall be finished in a dark, non-reflective black coating as shown in the submitted application details and shall be retained in this finish for the lifetime of the development.

REASON: To ensure the appearance of the development remains appropriate to the character and setting of the adjacent listed buildings and the conservation area, in accordance with Core Policies 57 and 58 of the Wiltshire Core Strategy, the NPPF, and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.