

APPLICATION FOR FULL PLANNING PERMISSION

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02038
APPLICATION TYPE:	Full Planning Permission
SITE ADDRESS:	107 Middle Lane, Whitley, Melksham, SN12 8QR
DEVELOPMENT DESCRIPTION:	Change of use of land and the erection of an attached building for use as a hair salon
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The application seeks planning permission for the erection of a new building to be attached to an existing garage building, along with an associated change of use of land to accommodate a new hair salon.

Whilst the provided application form indicates that the existing gross internal floorspace for Class E is 40m², review of plans provided indicates that this should be read as the net additional gross internal floorspace.

The application form indicates that the development will result in employment of 2no full time and 1no part time employees, with the following opening hours applicable:

- 9:00 – 17:00 Tuesday – Friday
- 8:30 – 13:00 Saturday
- Closed Sundays and Bank Holidays

The operational development has been notified as proposed to be finished with the following materials:

- Timber cladding walls (colour unspecified)
- Rubber flat roofing
- Aluminium windows and doors (black)
- Gravel to parking area

Given the application form indicated that the description of development should read 'single storey to existing garage block to provide new hairdressers salon' it was initially unclear what the extent of the site is intended to be (i.e. whether the garage block should be included) which subsequently resulted in varied location plans being provided.

Clarification that the garage block does not form part of the change of use request was received on 17.04.2026 along with confirmation that the location plan received on 17.04.2026 should be taken as the correct application site. The description of development was, accordingly, amended at the same time.

SITE DESCRIPTION

The site comprises an area of land south of, and in the same ownership as, existing garage buildings and an existing 'Depot' in Whitley. Whitley (together with Shaw) is a large village in the Melksham community area and within the boundary associated with the Melksham neighbourhood development plan (NDP) area. The site is understood to have a sui generis use, is not in a principal employment area but is within the defined framework boundary for Whitley.

'Whitley Reading Rooms' is to the west of the site; however, the majority of development in proximity is residential - a mixture of single storey and two storey dwellings. The site has existing vehicular access from unclassified road 'Middle Lane' in Whitley and there is some limited visibility of the site from that highway.

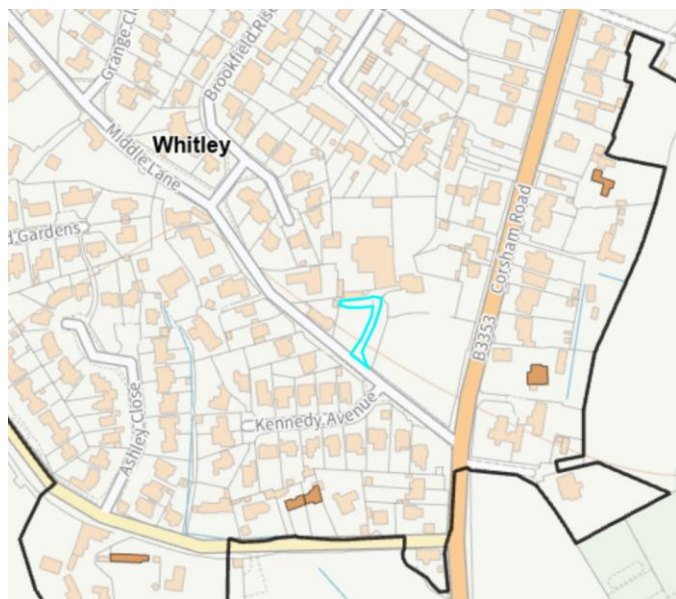


Figure 1: map view of site (blue) & framework boundary (black)



Figure 2: aerial view of site

The site is not listed, in a Conservation area, or National Landscape area, and is not at high risk of flooding from groundwater, surface water or fluvial sources.

RELEVANT PLANNING HISTORY

Planning history affecting the site (inter alia):

- W/92/00581/FUL granted planning permission for new *block of four garages to replace freezer units and form screen to scrap yard* on 23.06.1992 subject to 2no conditions which included the following:
 - o *In order to prevent noise and environmental disturbance to neighbouring residential properties, the use of these garages shall be limited to storage and garaging of vehicles; and no vehicle maintenance or other industrial process shall be carried out within them.*

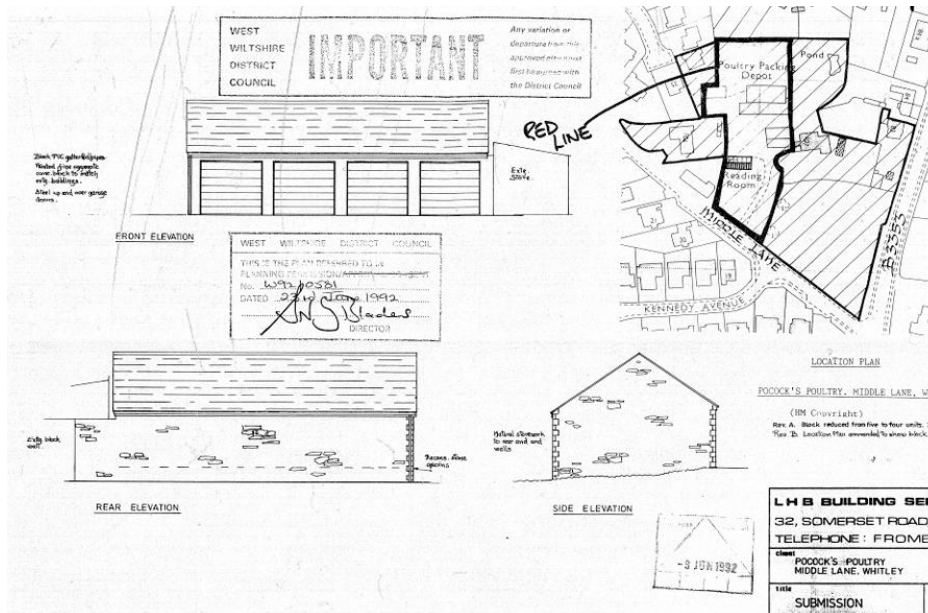


Figure 3: partial extract of approved plans for garage

Planning history at adjacent depot, 107 Middle Lane, (inter alia):

- W/12/00581/FUL granted planning permission for a *proposed warehouse* on 16.07.2012

Recent, relevant planning history in the wider area (inter alia):

Whitley Golf Course (approximately 250m south-east, outside of framework boundary)

- PL/2025/05424 granted permission for *Demolition of Existing Driving Range, Replacement Driving Range to Include Shop Area, Extension of Existing Car Park Along with Minor Alterations to Existing Club House* on 03.10.2025

Pear Tree Inn (approximately 500m north-west, within framework boundary)

- PL/2023/04210 granted *temporary consent for community village shop with roof-mounted solar array* on 04.09.2023

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Though considered as a whole, applicable Development Plan policies are listed below along with relevant legislation and guidance.

Wiltshire Core Strategy (WCS)

- CP1: Settlement Strategy
- CP2: Delivery Strategy
- CP15: Spatial Strategy for the Melksham Community Area
- CP41: Sustainable Construction and Low-Carbon Energy

- CP50: Biodiversity and Geodiversity
- CP57: Ensuring High Quality Design and Place Shaping
- CP61: Transport and Development
- CP67: Flood Risks

Saved Policies of the West Wiltshire Local Plan (WWLP)

Joint Melksham Neighbourhood Plan 2 (NDP)

- Policy 1: Sustainable Design and Construction
- Policy 2: Local Renewable and Low Carbon Energy and Associated Infrastructure
- Policy 10: Employment Sites
- Policy 13: Biodiversity
- Policy 20: Locally Distinctive, High Quality Design

Wiltshire Local Transport Plan (LTP4)

Parking Standards (LTP3)

Wiltshire Design Guide (WDG)

Melksham Design Guidelines and Codes (MDG)

National Planning Policy Framework (NPPF)

Planning Policy Guidance (PPG)

ISSUES

The main issues in the consideration of this application are:

- Principle / Sustainable Development
- Design / Visual Impact and Neighbouring Amenity
- Flood Risk / Drainage
- Ecology / Biodiversity
- Highways Safety / Access

CONSULTATION

Melksham Without Parish Council: Support

Melksham Without Parish Council noted that:

- *The site was already in employment use.*
- *The proposal would support local employment and small business opportunities.*
- *The proposal aligned with Policy 10 of the Neighbourhood Plan supporting intensification of employment opportunities.*
- *Whitley Reading Rooms had been consulted and had raised no concerns.*

Councils Highways Team: No Objection

Adequate off street parking is proposed for the development and the vehicle access is not proposed to be altered.

I raise no highway objection.

REPRESENTATIONS

At the time of writing, no public representations have been received

ASSESSMENT

Principle / Sustainable development

Policies CP1 and CP2 of the WCS relate to the spatial strategy for Wiltshire, setting the policy foundations for sustainable development within the county.

CP15 of the WCS expresses that development in the Melksham Community Area should be in accordance with the Settlement Strategy set out in CP1 which expresses that development within the framework boundaries of large villages *will need to be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities services and facilities.*

The site is within the framework boundary for Whitley and proposes development to facilitate a hairdressing salon which proposes employment for 2no full time and 1no part time staff. The scheme is acceptable in principle.

Design / Visual Impacts and Neighbouring Amenity

Policy CP41 of the WCS relates to sustainable construction and low-carbon energy and encourages development to incorporate design measures to reduce energy demand.

Policy CP57 of the WCS requires high quality design and place shaping for all new development including extensions, alterations and changes of use. NDP policies 1, 2, and 20 mirror these aims, and the WDG and MDG provide design guidance which establish overall design requirements and aspirations for development proposals. The MDG broadly guides that the height and massing of any new development in Whitley be visually subordinate to vegetation and the rural backdrop. Whilst there is guidance for shopfronts within the MDG, there are no explicit design requirements for new hair salons.

The scheme does not include renewable energy provision which is regrettable; however, given the scale of the development, the application would not reasonably warrant refusal on CP41 grounds alone. Should permission be granted, an informative can be included directing the applicant to their permitted development rights should they wish to retrofit renewable energy provisions in the future.

The development is proposed to occupy a modest footprint, in the context of the wider depot setting, and proposes a flat roof at a height of approximately 3m. The design and materials proposed are not especially in keeping with the adjacent buildings; however, the scale is such that some of the natural stone walling of the garage would remain visible and the timber walling material of the new hair salon would appear appropriately subservient to the existing built form without resulting in an incongruous feature.

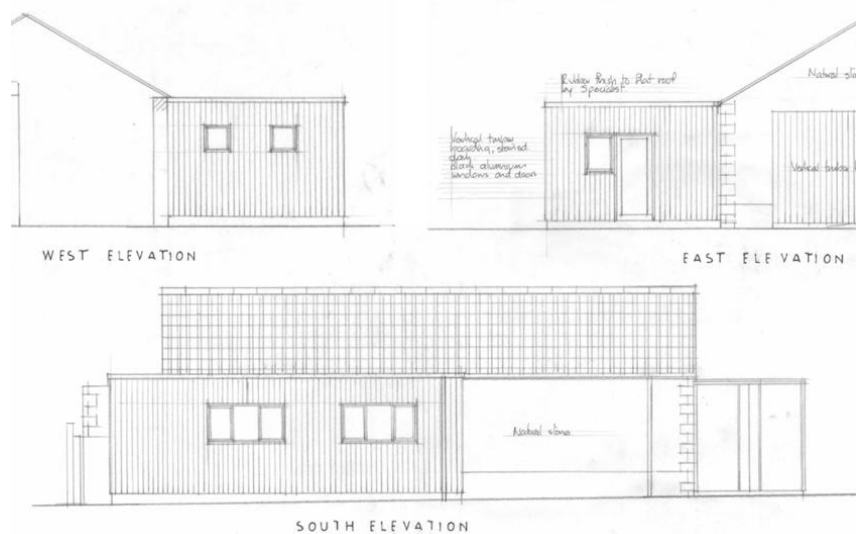


Figure 4: partial extracts of proposed elevations

The site is part of land associated with an existing depot and the proposed development of a hair salon is appropriate for the setting. The proposed use and height/massing of the building coupled with the degree of separation between the site and neighbouring dwellings does not give rise to concerns that neighbouring amenity would be unacceptably impacted should planning permission be granted.

Given that additional hours of operation may result in a different assessment of amenity impacts, a condition should be included with any permission granted restricting the hours of use to those notified in the application. Similarly, given that other Class E uses may also result in a different assessment of amenity impacts, a further condition should be included with any permission granted restricting the permission to use as a hairdressing salon or barbers.

Flood Risk / Drainage

Policy CP67 relates to flood risk and provides direction for development proposed in flood zones 2 and 3 and includes the requirement for development to reduce the rate of rainwater run-off and to improve rainwater infiltration to soil and ground, unless site or environmental conditions make these measures unsuitable.

Taking into account the low risk of flooding at the site and that the development doesn't propose a significant change to the level of impermeable surfaces, granting planning permission would not likely result in a change to the existing flood risk at, or adjacent to, the site.

Biodiversity, Geodiversity

Biodiversity net gain (BNG) is a way of creating and improving natural habitats and ensures that development has a measurably positive impact on biodiversity, compared to what was there before development.

Policy CP50 of the WCS outlines that Wiltshire's natural environment is one of its greatest assets and identifies protection measures necessary for consideration when assessing the impact of development on biodiversity and geodiversity.

Criteria (ii) of Policy CP57 of the WCS encourages development to include:

- (ii) the retention and enhancement of existing important landscaping and natural features (e.g. trees, hedges, banks and watercourses), to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development.

The scheme has been submitted with a BNG exemption statement, expressing that the proposed building would be constructed over an existing parking area; whilst the statement does not appropriately address how much of the building would be located on hardstanding (impermeable) and how much on gravel (permeable), review of existing plans indicates that the scheme would be mostly located over concrete and the scheme would meet the de minimis exemption.

Furthermore, notwithstanding that the application form indicates that there are trees or hedges on the proposed development site, plans provided do not indicate that these will need to be removed to accommodate the development. Overall, the site location and the scale of the development is such that the scheme does not give rise to significant concerns regarding biodiversity.

Highways Safety / Access

Policy CP61 of the WCS requires new development to be served by safe access to the highway network. Policy CP64 of the WCS relates to demand management measures which includes car parking management and standards.

The scheme does not propose a new or altered vehicular access point but does, appropriately, propose off-street parking provision to serve the hair salon. Consultation with the Councils highways team has been carried out and resulted in no objection. To ensure that there remains adequate on-site parking to serve the salon, a condition should be included with any permission granted requiring the parking shown on plans to be made available prior to the first use of the salon and kept as unobstructed off-street parking thereafter.

SUMMARY AND PLANNING BALANCE

The scheme proposes the change of use of land and operational development to accommodate a single-storey hair salon. Overall, the proposed development is acceptable in principle, in line with

the spatial strategy and sustainable development aims of the WCS and there are no significant concerns on matters relating to design, neighbouring amenity, flood risk, biodiversity, or highway safety matters.

RECOMMENDATION:

That planning permission be GRANTED 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:

Location Plan, received 17.04.2026

Block Plan, received 17.04.2026

Proposed elevations and floor plan, received 25.03.2026

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

- 3) The parking area shown on the approved plans shall be laid out and made available prior to the first use of the development hereby permitted and shall be retained for that purpose, free from obstruction, thereafter.

REASON: In the interests of highway safety.

- 4) The site shall be used only as a hairdressers or barbers and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but alternative uses may give rise to materially different impacts and the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case, in the interests of protecting the amenities of nearby residential occupants.

- 5) Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 Saturday and no working on Sundays or Bank Holidays.

REASON: In the interests of protecting the amenities of nearby residential occupiers.

- 6) Opening hours to customers shall be limited to 09:00 to 17:00 Monday to Friday, 08:30 to 13:00 Saturdays, and not at any time on Sundays or Bank Holidays.

REASON: In the interest of protecting the amenities of nearby residential occupants.

INFORMATIVES TO APPLICANT:

- The applicant is advised that this approval does not permit the display of advertisements which would require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
- The Government has published a Clean Power 2030 Action Plan which includes observations around how 'new standards will be introduced next year which will amend the energy efficiency standards in the Building Regulations in England'. Whilst this scheme does not include renewable energy solutions, there has been no removal of permitted development rights for 'renewable energy' development provisioned under Schedule 2, Part 14 of the GPDO.

Further information on the Action Plan can be found online at:

assets.publishing.service.gov.uk/media/677bc80399c93b7286a396d6/clean-power-2030-action-plan-main-report.pdf and further information on permitted development rights for renewable energy can be found online at:

<https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/14>

- 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.