

APPLICATION FOR FULL PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/02295
APPLICATION TYPE:	Full planning permission
SITE ADDRESS:	3 St Margarets Gardens, Melksham, SN12 7BT
DEVELOPMENT DESCRIPTION:	Construction of an extension to children's nursery and alteration to front boundary fence to provide additional parking provision
RECOMMENDATION:	Approve

Date of Site Visit: 7 August 2026

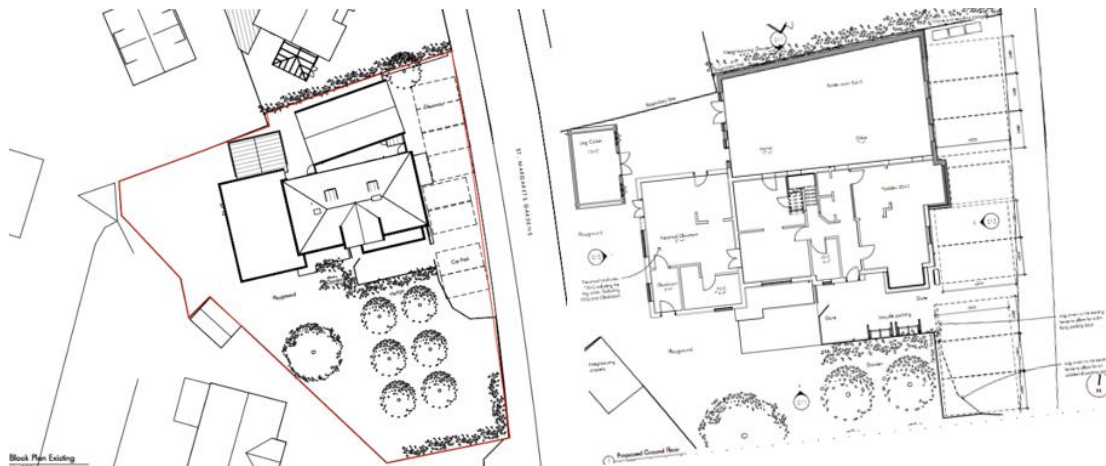
PROPOSAL

Note: Amended plans were received to address parking concerns raised by the highways officers (and subsequently Melksham Town Council). The following report is based on those revised plans.

The application seeks full planning permission for the construction of an extension to the existing children's nursery at 3 St Margarets Gardens, Melksham, together with alterations to the front boundary treatment to facilitate additional parking provision.

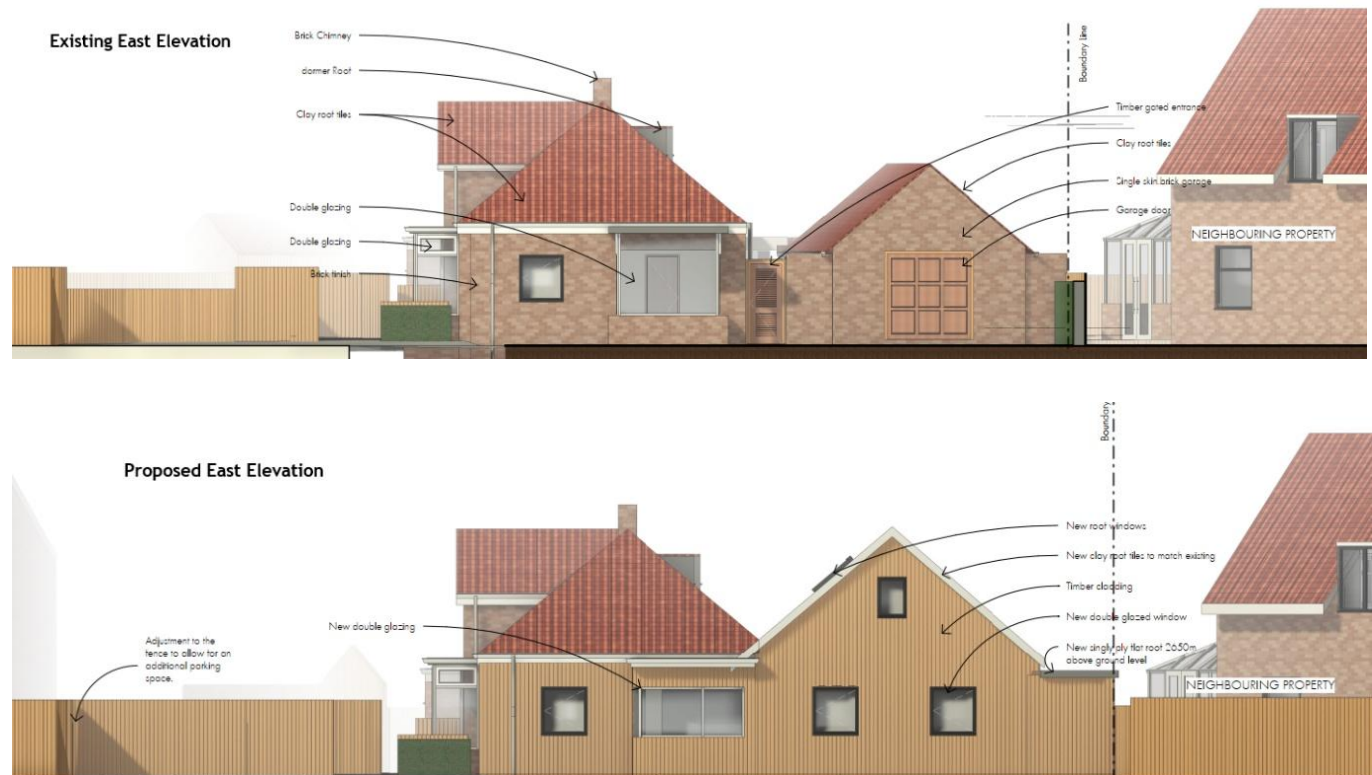
The proposal involves the demolition of the existing garage building and the erection of a two-storey extension adjoining the existing nursery building on the north elevation. The existing garage has eaves and ridge heights of c2.25m and 4.5m respectively. The proposed extension would have eaves and ridge heights of about 2.8m and 6.15m respectively. The apex of the ridge would be about 5.4m from the boundary with the dwelling to the north. The extension would provide additional nursery accommodation including a baby room, toddler play and learning space, kitchen and office facilities. The proposal would also involve the repositioning of the existing log cabin within the site to facilitate reconfiguration of the outdoor play area.

Extracts of the existing site plans and proposed ground floor plan (including parking) are shown below:



The submitted information indicates that the existing nursery provides approximately 223sqm of floorspace. Following demolition of the 43sqm garage building and construction of the extension, the nursery would provide approximately 330sqm of floorspace, representing a net increase of approximately 107sqm. There would be 8 on site parking spaces 4 cycle parking spaces would be provided. The existing access arrangements would remain unchanged.

Below: Extracts of Existing and Proposed East (Front) Elevations:



SITE DESCRIPTION/CONTEXT

The application site comprises an existing children's nursery at 3 St Margarets Gardens, Melksham. The nursery occupies a former bungalow which has been adapted for use as a day nursery and therefore retains domestic proportions and appearance.

Below: Existing front elevation and frontage parking:



The site lies within an established residential area characterised predominantly by two-storey dwellings constructed in red brick with brown tiled roofs. The nursery building is set within a generous plot incorporating outdoor play areas, parking and ancillary structures.

The site is not subject to any statutory ecological, landscape or heritage designations and there are no listed buildings within the immediate vicinity. The site lies within Flood Zone 1 and is therefore at low risk of fluvial flooding. No significant risk of surface water flooding has been identified and the site is also considered to have a negligible risk from groundwater flooding. The site is served by the existing residential road network via St Margarets Gardens.

The property immediately adjoining the northern boundary is No. 5 St Margarets Gardens. Whilst this dwelling includes a rear conservatory, the host dwelling is orientated at an angle away from the application site. The corner of the conservatory is located approximately 1.7 metres from the shared boundary. Other surrounding land uses are predominantly residential in nature.

Below – plan and aerial photograph with 3 St Margaret’s Gardens indicated by red flag:



PLANNING HISTORY

Proposal / Summary
W/89/01582/FUL Change of use from bungalow to day nursery for 0-5 year olds - approved with conditions
W/91/00738/FUL Change of use from day nursery to residential use including childminding facilities, extension for toilet and loft conversion to bedroom -approved with conditions
W/95/00818/FUL Demolition of existing playroom, erection of larger extension for childminding and new bedroom in roof - approved with conditions
W/00/00845/FUL Change of use of dwelling to expand existing day nursery from 18 to 27 children - approved with conditions

RELEVANT POLICIES AND GUIDANCE

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 15 Spatial Strategy Melksham Community Area
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 61 Transport & Development;
- Core Policy 64 Demand Management

Draft Wiltshire Local Plan

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.

Saved Policies of the West Wiltshire District Plan

- None that are relevant.

Joint Melksham Neighbourhood Plan 2:

- Policy 20: Locally Distinctive, High Quality Design

Supplementary Planning Documents and other Guidance:

- Wiltshire Design Guide (adopted April 2024)

- Wiltshire Local Transport Plan 2011-2026, adopted 2015 - including the Car Parking Strategy and Cycling Strategy, adopted 2015

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 proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64)

CONSULTATION RESPONSES

Wiltshire Council Highways: No objection subject to conditions

Concerns were raised regarding the size and layout of the proposed parking spaces, the relationship between the parking layout and the nursery entrance, and insufficient information regarding the level of parking required to serve the expanded nursery.

Following the submission of amended plans, the Local Highway Authority confirmed that the revised layout provided eight parking spaces compliant with current parking standards. However, a holding objection was maintained pending the submission of further information relating to staff numbers, child numbers and the nursery's drop-off and pick-up arrangements.

The applicant subsequently provided details of staff numbers, child numbers, staff travel patterns and staggered drop-off and collection arrangements. Following consideration of this information, the Local Highway Authority concluded that staff parking could be accommodated within the site and that the anticipated vehicle movements associated with child drop-off and collection would not be detrimental to the free flow of traffic within the area. No highway objection is therefore raised subject to a condition requiring the provision and retention of the approved parking spaces.

Melksham Town Council: Unable to support:

“Melksham Town Council notes and fully agrees with the comments of Highways Department. On this basis Melksham Town Council is unable to support this proposal”

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;

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted. Two representations were received, as follows:

“Concerns that any increase in capacity at nursery will incur additional traffic/volume of vehicles in a very narrow street and potential hazards with cars reversing/turning to return to Sandridge Road. Also noise concerns of additional traffic in a very quiet purely residential street. And huge concerns for some beautiful old trees that may be cut down on the south west entrance side garden, one a rare pine approx 20m (?) tall which perhaps should be listed? Please have the trees assessed/considered by you appropriate department.”

“I live directly opposite the nursery. Whilst I do not object to the planned works, my concern is the lack of parking. There appears to be no additional parking despite the increase in size and presumably capacity. Currently staff park in existing spaces leaving very few spaces for parents for drop off/pick up with vulnerable children with little road sense. On a number of occasions, I have personally witnessed very close collisions with vehicles and children. Usually, you would find a zig zag line with no stopping on such a site, speed bump, single yellow etc, has this been considered at all? I have always said this is an accident waiting to happen.”

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. National planning policy recognises the importance of community facilities and early years provision in supporting healthy and inclusive communities.

Principle of Development

Little Robins Nursery is an established children's nursery operating from 3 St Margarets Gardens. The application seeks to expand the existing facility through the demolition of an existing garage and construction of an extension to provide additional nursery accommodation. The proposal would not result in a change of use of the site.

The site lies within the built-up area of Melksham, identified as a Market Town within the Wiltshire Core Strategy. Core Policies 1 and 2 support sustainable development within the County's settlements where it accords with other relevant development plan policies. The proposal relates to the expansion of an existing community facility and childcare provision

within an established residential area. The updated NPPF states that considerable importance should be attached to providing sufficient education facilities, including early years provision, and that substantial weight should be given to the benefits arising from new or improved community facilities and public service infrastructure. In this case, the proposal would expand an existing nursery facility and increase the availability of childcare places within Melksham

Accordingly, the principle of development is considered acceptable, subject to consideration of design, residential amenity, highways, drainage and all other material planning considerations.

Design and Impact on the Character and Appearance of the Area

Policy Context

Core Policy 57 of the Wiltshire Core Strategy requires development to achieve a high standard of design that responds positively to local character, context and distinctiveness.

Section 14 of the NPPF seeks to ensure that development is well-designed, visually attractive, sustainable and responsive to its surroundings. Development should contribute positively to local character, create high quality places and support healthy and inclusive communities.

The Wiltshire Design Guide provides further guidance on achieving high quality, context-led design and should be taken into account where relevant.

Assessment

The application site comprises a former bungalow which has been adapted for use as a children's nursery. The existing building is constructed primarily in red brick beneath a tiled roof and is accompanied by a detached garage positioned to the northern side of the site. The surrounding area is predominantly residential in character, comprising mainly two-storey dwellings of broadly traditional appearance, generally constructed in red brick with tiled roofs.

The proposal would involve the demolition of the existing garage and its replacement with a side extension. Whilst the proposed extension would increase the built form on the site, it would occupy broadly the same area of the plot as the existing garage and would not over dominate the existing nursery building.

It is noted that the proposal includes the introduction of timber cladding to the existing building and extension. Although timber cladding is not a predominant material within the immediate street scene, it is considered that the use of a consistent material treatment across the existing and proposed elements would create a more cohesive overall appearance for the nursery building. Furthermore, the site already operates as a non-residential use within the street and the proposed alterations would remain read as an extension and improvement to the existing facility rather than appearing incongruous within the wider streetscene.

Concern has been raised by a neighbouring occupier regarding the potential impact of the development upon trees within and adjacent to the site. The site is not located within a Conservation Area and no Tree Preservation Orders apply to trees within the application site.

The most prominent tree in the vicinity is a mature cedar located to the southern side of the nursery. The proposed extension is to be constructed to the northern side of the site and officers are satisfied that the proposal would not necessitate the removal of this tree. An informative can be attached to any permission advising the applicant to take appropriate measures to protect retained trees and their root protection areas during construction works.

Conclusion

Taking all matters into account, officers consider that the scale, form and appearance of the proposed extension would not result in unacceptable 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 National Planning Policy Framework.

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.

The National Planning Policy Framework (NPPF) reinforces the need for development to provide a high standard of amenity for both existing and future users.

Assessment

The proposal would involve the demolition of the existing detached garage and its replacement with a 1.5-storey extension positioned on the northern side of the existing nursery building. The existing garage is located approximately 1 metre from the northern boundary and is parallel to it. Whilst the proposed extension would be approximately 5 metres longer than the existing garage and would include an increase in overall ridge height, the design incorporates a single-storey flat-roofed element along the northern boundary with a height of approximately 2.6 metres, thereby limiting its impact on neighbouring land.

Particular consideration has been given to the relationship between the proposed extension and No. 5 St Margarets Gardens, a neighbouring four-bedroom care home located to the north of the application site as shown on the plan below (application site marked by red flag):



No. 5 occupies a corner plot and is orientated at an angle away from the application site. Whilst the proposed extension would be approximately 1.5m higher than the existing garage at ridge level, the proposed ridge would be further away from No. 5 than the ridge of the existing garage. Having regard to the siting, orientation and design of the proposal, it is not considered that the development would result in an unacceptable overbearing impact, loss of outlook or material loss of light to occupiers of No. 5.

In terms of privacy, no windows or doors are proposed within the northern elevation of the extension. Accordingly, the proposal would not introduce opportunities for overlooking towards No. 5 beyond those that currently exist.

The proposed works are confined to the northern side of the building and officers are therefore satisfied that there would be no unacceptable impacts upon the amenities of neighbouring properties to the south, including Nos. 1A and 1B St Margarets Gardens.

The proposed first-floor windows within the western elevation of the extension would face towards properties located to the rear of the site. However, these windows would be separated from neighbouring dwellings by in excess of 20 metres and are therefore considered sufficient to prevent unacceptable overlooking or loss of privacy.

Overall, having regard to the scale, siting and design of the extension, it is considered that the proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers by reason of overlooking, loss of privacy, overshadowing, loss of outlook or overbearing impact. The proposal therefore accords with Core Policy 57 of the Wiltshire Core Strategy and the relevant provisions of the National Planning Policy Framework.

Highways Impacts and Parking

Policy Context

Transport implications are a key factor in assessing planning applications, especially for larger developments. Proposals must demonstrate:

- Safe and suitable access for all users, including pedestrians, cyclists, and those with mobility impairments.
- No severe residual impacts on the surrounding highway network.
- Promotion of sustainable travel, reducing reliance on private vehicles.
- Adequate parking and cycle provision, in line with adopted standards.
- Protection and enhancement of public rights of way and active travel routes.

Relevant policies include Core Policies 60–64 of the Wiltshire Core Strategy, supported by the Wiltshire Local Transport Plan, Car Parking Strategy, and Cycling Strategy. The Local Cycling and Walking Infrastructure Plan (LCWIP) and LTN 1/20 (DfT) provide further design guidance for active travel infrastructure.

Policies TR3-TR8 of the NPPF seek to ensure that development is supported by safe, suitable and sustainable transport arrangements. Development should provide appropriate access, promote sustainable travel choices where possible and avoid unacceptable impacts on highway safety and the operation of the transport network.

Assessment

The proposed development would increase the capacity of the existing nursery and would involve alterations to the frontage of the site to provide revised parking arrangements. A number of third-party representations – including the Melksham Town Council - raise concerns regarding existing parking pressures, increased traffic generation, highway safety and the adequacy of parking provision to serve an expanded nursery.

The application has been subject to detailed scrutiny by the Local Highway Authority. Initial concerns were raised regarding the dimensions and layout of the proposed parking spaces, the relationship between the parking layout and the pedestrian entrance, and the lack of information relating to staff numbers and child drop-off and pick-up arrangements. The applicant subsequently submitted amended plans which increased the number of parking spaces meeting current adopted parking standards to eight spaces. Whilst this addressed the physical layout concerns, the Local Highway Authority maintained a holding objection pending the submission of further operational information relating to staff numbers and vehicle movements associated with the nursery.

Additional information was subsequently provided by the applicant. This confirmed that the proposed nursery would accommodate a maximum of 55 children and up to 15 members of staff at any one time. Information was also provided regarding existing travel patterns and the operation of the nursery. The submitted information indicates that approximately 50% of customers currently walk to the nursery and that drop-off and collection times are managed through pre-booked 15-minute arrival and departure slots rather than occurring simultaneously. The submitted data demonstrates that vehicle arrivals associated with children are distributed throughout the morning and afternoon operating periods, with the highest recorded level being eight vehicle arrivals within a single 15-minute period. Staff vehicle movements are similarly spread throughout the day.

Whilst demand for the nursery would increase, the evidence submitted demonstrates that arrivals and departures are spread throughout the day rather than concentrated at a single point in time.

Having reviewed this information, the Local Highway Authority concluded that staff parking could be accommodated within the site and that the anticipated vehicle movements associated with child drop-off and collection would not be detrimental to the free flow of traffic within the area. On this basis, the Highway Officer withdrew the previous holding objection and raised no highway objection to the development subject to a condition securing the provision and retention of the approved parking spaces.

Officers acknowledge the concerns raised by local residents and Town Council regarding traffic generation, parking congestion and highway safety. Such concerns are understandable given the site's location within an established residential area. However, the application has been assessed by the Council's specialist highway engineers who specifically considered both the physical parking provision and the operational characteristics of the nursery. Having regard to the amended parking layout, the submitted information relating to staff numbers and staggered drop-off and collection arrangements, and the conclusions of the Local Highway Authority, officers do not consider that the proposal would give rise to an unacceptable impact on highway safety or result in severe residual cumulative impacts on the local road network.

Accordingly, subject to the recommended parking condition, the proposal is considered to comply with Core Policy 61 of the Wiltshire Core Strategy and the relevant provisions of the National Planning Policy Framework

Conclusion

In the absence of any technical evidence demonstrating that the proposal would result in an unacceptable impact on highway safety, or that the residual cumulative impacts on the local road network would be severe, officers consider that the proposal would comply with the aims of Core Policy 61 of the Wiltshire Core Strategy and the relevant provisions of the National Planning Policy Framework.

PLANNING BALANCE AND CONCLUSION

The proposal would expand an established children's nursery within the built-up area of Melksham, providing additional and improved accommodation and increasing the availability of early years childcare places. The principle of expanding the existing facility is supported by Core Policies 1 and 2 of the Wiltshire Core Strategy. Considerable weight is also given to the provision of sufficient early years facilities, and substantial weight to the benefits of new or improved community facilities and public service infrastructure, in accordance with Policies HC1 and HC4 of the National Planning Policy Framework.

The extension would replace the existing detached garage and, although larger and taller than that structure, would remain acceptable in scale and form in relation to the existing nursery building and the surrounding area. The use of timber cladding would differ from the predominant materials within the street, but its consistent application across the existing and proposed building would provide a more cohesive overall appearance. The proposal would

not require the removal of the prominent cedar tree to the south of the nursery, and advice regarding the protection of retained trees during construction can be added by way of an informative. Accordingly, the development would not cause unacceptable harm to the character or appearance of the site or surrounding area.

The relationship between the extension and neighbouring properties has been carefully considered. In particular, its siting and design, including the lower flat-roofed element along the northern boundary, the position of the proposed ridge and the absence of openings in the northern elevation, would avoid unacceptable effects upon No. 5 St Margarets Gardens. The separation between the proposed first-floor windows in the western elevation and dwellings to the rear would also prevent unacceptable overlooking. The development would therefore safeguard neighbouring living conditions.

Concerns raised by local residents and Melksham Town Council regarding parking, traffic generation and highway safety are acknowledged. Following the Local Highway Authority's initial holding objection, the parking layout was amended to provide eight spaces meeting current standards and further information was supplied regarding staff travel and the staggered arrangements for dropping off and collecting children. Having reviewed the amended plans and operational information, the Local Highway Authority withdrew its holding objection and raised no objection, subject to a condition securing the provision and retention of the approved parking spaces. There is therefore no technical highway evidence demonstrating that the proposal would have an unacceptable effect on highway safety or a severe residual impact upon the local highway network.

Overall, the proposal would provide a clear social benefit through the expansion and improvement of an existing early years facility in an accessible location within Melksham. No unacceptable harm has been identified in relation to the character and appearance of the area, neighbouring living conditions or highway safety. The benefits of the proposal are not substantially outweighed by any adverse effects, and the development accords with the development plan when read as a whole and with the relevant national decision-making policies.

RECOMMENDATION: That Planning Permission be GRANTED, subject to conditions

1. Time limit

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. Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans

Proposed Ground Floor Plan S08 RevA received 17 Jul 2026

Proposed North and South Elevations S11 received 2 Jun 2026

Proposed Roof Plan S10 received 2 Jun 2026

Proposed First Floor Plan S09 received 2 Jun 2026

Proposed East and West Elevations S12 received 2 Jun 2026

Location Plan received 8 Apr 2026

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

3. Materials

The external materials of the development shall be constructed in accordance with the materials specified on the approved plans.

REASON: In the interests of good design and the character and appearance of the area.

4. Highways

The development hereby permitted shall not be first brought into use until the eight parking spaces shown on the approved plans have been laid out and made available for use. The parking spaces shall thereafter be retained for parking purposes and kept free from obstruction at all times.

REASON: In the interests of highway safety and to ensure adequate parking provision.

Tree Protection Informative

The applicant is advised to take all reasonable steps to protect retained trees and their root protection areas during demolition and construction works. Particular care should be taken to avoid excavation, compaction of soil, storage of materials, fires, changes in ground levels or the movement of plant and machinery within root protection areas. Reference should be made to the recommendations contained within BS 5837:2012 *Trees in relation to design, demolition and construction – Recommendations*.