

Application No:	ENQ/2025/01496
Application Type	Pre-Application enquiry
Proposal:	Change of Use - amend the temporary use of the property whilst supporting works site adjacent 489A Semington Road, to C3 permanent residential dwelling separate to the host building of 489A Semington Road – i.e. non ancillary.
Location:	489A SEMINGTON ROAD, MELKSHAM, SN12 6DR
Case Officer:	Selina (Nina) Parker-Miles

Dear Sir

Thank you for your pre-application enquiry received on 17 September 2025.

Please note that the advice below represents an officer's informal professional opinion based on the information provided at the time of writing. It is given without prejudice to any formal decision the Council may make on a subsequent planning application.

Any future application would be subject to full assessment, including site publicity and consultation, and other material considerations may emerge through that process. This advice is based on current adopted planning policies and guidance available at the time of writing.

Summary of Officer View

☐	Acceptable in principle. This response sets out areas to be addressed through any subsequent application.
☒	Unacceptable in principle. Submission of an application is not encouraged. Key reasons are outlined below.
☐	Potentially acceptable, subject to resolution of key issues. This response identifies what needs addressing before the proposal could be supported.

Constraints/ Key Issues:

Principle of Development, Design and Visual Impact, Neighbouring Amenity and Highways Impact

Relevant Planning History:

Proposal / Summary
ENF/2024/00544 - Alleged unauthorised change of use of garage to dwelling - Garage to right of Kays Cottage 489 Semington Road Melksham SN12 6DR –
14/08915/CLE - Lawful development: Existing use Decision - Approved Date: 12/12/2014 – Certificate of Lawfulness for use of property as 2 dwelling houses
W/12/01964/CLE - Lawful development: Existing use Decision - Approved Date: 14/12/2012 – Certificate of Lawfulness for the existing use of land as a domestic garden
PL/2021/06824 - Householder planning permission Decision - Approve with Conditions Date: 3/10/2022 – Erection of detached double garage and home office.
PL/2024/09323 - Full planning permission Decision - Approve with Conditions Date: 10/1/2025 – Retrospective use of building as a site office/store/welfare facilities and residential accommodation for a temporary period of three years by the owner/project manager in connection with the on-going development of the adjacent sites.

17/04649/FUL - Full planning permission Decision - Refused Date: 9/8/2017 – Erection of 4 no. terraced dwellings
18/07286/FUL - Full planning permission Decision - Approve with Conditions Date: 15/11/2018 – Erection of 4 no. dwellings (Resubmission of 17/04649/FUL)
PL/2022/08518 - Householder planning permission Decision - Approve with Conditions Date: 10/1/2023 – It is proposed to build over part of the existing single-storey rear extension. The proposed first floor extension extends to the end of the two-storey dwelling immediately to the north (488 Semington Road). There are no overlooking/over-shadowing issues
PL/2023/02893 - Lawful development: Existing use Decision - Refuse Date: 1/8/2023 – Certificate of lawfulness for existing separate annex (Resubmission of PL/2022/08476)
PL/2024/04135 - Lawful development: Existing use Decision - Refuse Date: 29/8/2024 – Certificate of Lawful Existing Use for an annexe as a separate dwellinghouse (Use Class C3)
PL/2024/11639 - Lawful development: Existing use Decision - Refuse Date: 2/4/2025 – Certificate of Lawfulness for use of existing annexe as separate dwellinghouse (Revised Application)

Relevant Planning Policies:

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 pre-application enquiry 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 for the Melksham Community Area
- Core Policy 57 - Ensuring High Quality Design and Place Shaping
- Core Policy 60 – Sustainable Transport
- Core Policy 61 – Transport and Development
- Core Policy 64 – Demand Management

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

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015)

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.

Assessment

The proposal is considered to be unacceptable as it would conflict with the policies of the development plan. The submission of a planning application is therefore not recommended. This response explains the reasons why the development is considered to be unacceptable.

Principle of Development

Wiltshire Core Strategy Policies CP1 (Settlement Strategy) and CP2 (Delivery Strategy) set out the spatial strategy for sustainable development across Wiltshire. These policies direct new development to the most sustainable locations, primarily within the limits of development of market towns, local service centres, and large villages. Proposals outside these limits are generally only supported in exceptional circumstances.

The proposed development comprises change of use of a garage building that currently has a temporary use (for a period of three years) as temporary accommodation, the existing building is set within the settlement boundary of Berryfield, near Melksham. The proposed development would be wholly within the application site and as such the principle of development is acceptable subject to the following considerations.

Five Year Housing Land Supply

As a result of recent changes to the way housing need is calculated, introduced by government, the Council is unable to demonstrate a five-year supply of deliverable housing sites and as a consequence, there is a presumption in favour of sustainable development (often referred to as the 'tilted balance') applies. This is set out in paragraph 11d of the NPPF. In December 2024, the Government revised this NPPF paragraph in two ways. Firstly, where there are exception policies that prevent the 'tilted balance' applying, these must be evidenced as being 'strong' reasons to base any refusal for housing, rather than a 'clear' reason for refusal, which was previously the case. Secondly, to ensure that when the planning balance is being carried out, regard must be given to certain key policies set out within the Framework related to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

In summary, the changes to the NPPF now require Wiltshire to demonstrate a five-year housing land supply, plus a 5% buffer. This results in a significant increase in the five-year housing requirement to be met from the previous calculation. When this is assessed against the housing land supply which can be delivered within five years, the recalculation shows a significant reduction in the number of years supply and currently equates to 2.42 years supply for Wiltshire, which is regarded as a very substantial shortfall.

As such the tilted balance in paragraph 11(d) of the NPPF is engaged for the assessment of any current planning application. This means balancing the strengthened need to boost housing supply against any adverse impacts of the proposal when considered against the adopted development plan and NPPF as a whole, and any material considerations on a case-by-case basis which will be determined at the time of submission.

Design and Impact on Character and Appearance of the Area

Policy CP57 of the WCS seeks to ensure that all development proposals are of a high standard of design that responds positively to the local context and contributes to a sense of place. This includes consideration of layout, form, materials, scale, and relationship to the surroundings. Proposals should reinforce local distinctiveness, protect the character of settlements, and promote inclusive and attractive environments.

This preapplication enquiry seeks to remove the temporary use of an existing garage building (associated with 489A Semington Road Melksham) as ancillary accommodation that was granted temporary permission for a period of three years in October 2025 (PL/2024/09323). The garage was granted permission in 2022 (PL/2021/06824)

The temporary permission granted a temporary use of the building as ancillary accommodation for a period of three years to allow the applicant to reside there whilst acting as site manager for the adjacent building site that was granted permission for the erection of 4 dwellings in 2018 (18/07286/FUL).

The temporary permission was granted on the understanding that the accommodation that was permitted would be limited to a person solely or mainly working as a site manager for the adjacent development site while construction was ongoing and it would remain within the same planning unit as the main dwelling. As assessed within the appraisal of the application for temporary use as accommodation the garage building is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

However, the positioning of a residential building (such as a mobile home) for a temporary period whilst building works are undertaken on construction sites is an established use. Therefore, the temporary use of the building was granted on the understanding that after the temporary use period had expired the use as ancillary accommodation was to be discontinued and the building restored to its former condition (and conditions were added to the consent to this effect). The permission was only granted on the basis of an essential temporary need for accommodation in this location having been demonstrated.

Officers are cognisant that the application site contains a number of properties that have received permission as residential status within recent years. The original site contained a semi detached property that was subsequently divided into two properties, there is consent for four dwellings to be erected within the private residential curtilage to the south of the original building and a separate annexe building has recently received consent to be used as a stand-alone residential dwelling via a Certificate of Lawfulness (existing) Certificate.



Aerial photography of the site 2008 and 2023

If the garage building were to be converted to residential use, the application site where one dwelling formerly stood would accommodate 8 dwellings. Therefore, the proposal to use the existing garage building as a standalone residential dwelling would constitute as overdevelopment of the plot, which would have an unacceptable and harmful effect on the character and appearance of the surrounding area. It would conflict with Core Policy 57 of the Wiltshire Core Strategy (adopted 2015) (Core Strategy) which provides that development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Whilst the government is seeking to significantly boost the supply of housing, and the provision of a single dwelling would add to local supply and deliver social and economic benefits, the benefits would be modest and outweighed by the harm to the character and appearance of the area. Officers are of the opinion therefore that the proposal would conflict with the development plan when read as a whole, and there are no other considerations, including the Framework, which outweigh this conflict.

Future Living Conditions

Core Policy 57 seeks to protect residential amenity and provide adequate levels of amenity for future occupants, whilst also respecting plot size.

Paragraph 135f of the NPPF requires planning decisions to ensure that a "*high standard of amenity*" is provided for both existing and future users with regard also being given to the governments nationally described space standards.

The plans and elevations of any proposed new proposed dwelling should indicate that the proposal could achieve an acceptable level of amenity for future occupants. The National Technical Housing Standards sets out the minimum gross internal floor areas required for future occupants as illustrated below.

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

In addition to the above, the council has recently adopted a Wiltshire Design Guide which sets out a series of expectations for new development. Within this, it stipulates in section 9.2.2 that "*garden areas for all houses should be equivalent to the footprint of the house or 50sqm, whichever is greater*" as a minimum and in section 9.2.4 that where "*new development is proposed adjacent to and overlooking an existing private amenity space, the traditional back-to-back separation of minimum 21m should be respected*".

Compliance with the above policies must be met as part of any future application to ensure that the amenities of both existing and future occupants are acceptable.

It is worth mentioning that both the Building for Life 12 publication and the council's own adopted design guide encourage rectangular shaped gardens rather than triangular shapes, as often the latter fails to provide an acceptable practical, usable space.

Residential Amenity

Policy CP57 also includes a requirement that development should ensure a high standard of amenity for existing and future occupants (point vii). This includes safeguarding privacy, outlook, natural light, and protection from noise, disturbance, and overbearing effects.

No plans have been submitted in support of this preapplication proposal however the design and access statement sets out that the existing fenestration would remain and that no new windows or doors would

be introduced therefore the appraisal of the neighbouring amenity impacts as set out within the temporary permission apply.

'The existing windows overlook the applicant's private parking area to the front elevation, set back from the public highway. Therefore, the use of the building as a residential use would not introduce any adverse overlooking to any neighbouring occupiers.'

The temporary conversion relates to use of any existing building in situ therefore the proposal would not introduce any overbearing or overshadowing impacts'

Given the scale of the development proposal, it is considered that the proposed development would not result in unacceptable loss of light, overlooking, overshadowing and would not have an overbearing impact upon neighbouring properties. For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy

Highway Safety and Parking

Policies CP60 to CP64 set the transport and accessibility framework for development in Wiltshire. Proposals must provide safe and suitable access for all users and should not have a severe impact on the transport network. Adequate parking, turning space, cycle storage, and accessibility for waste collection should be incorporated in line with Wiltshire's adopted car parking strategy.

Impact on parking provision – Core Policy 64 (Demand Management) seeks to manage the demand for vehicle parking and confirms that residential parking standards are to be based on minimum parking standards.

As previously stated, no plans have been submitted within this preapplication submission to demonstrate how the conversion of the garage building would be undertaken. However, the Design and Access statement does set out that the internal layout would remain as existing, as the temporary permission granted in 2025, with the part conversion of the ground floor plan of the garage which would remove one of the car parking spaces, associated with the host dwelling at 489A Semington Road.

The Local Authority Highways officer was consulted on the proposal and has raised no highway objection in principle if the necessary parking spaces for all of the properties associated with the application site can be demonstrated.

Officers are cognisant that the application site has recently received change of use for the former ancillary annexe to be a standalone residential dwelling. Therefore, any application would need to demonstrate that sufficient off-road parking could be provided for the property at No.489 Semington Road, The Annexe, 489a Semington Road and for the converted garage building.

In order to comply with the Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (March 2015) one on-site parking space would be required for a 1-2 bed dwelling, and two on-site car parking spaces would be required for a 3-bed dwelling (standard min. size 2.4m x 4.8m).

In the event of any formal submission (against officer advice) a block plan illustrating the existing and proposed parking arrangement (for the existing dwellings and any proposed dwelling) would need to be provided to fully evaluate how vehicles will access and egress the site and whether the proposal would detrimentally impact highway safety with a reduced turning area or reduced visibility splays.

Consideration should also be given to the provision of any materials proposed for any hardstanding area and surface water run-off and how any drainage works would be implemented to provide for any future hard landscaping.

Officers would be seeking adequate off-road parking provision and suitable highway safety so that the proposals would accord with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 116 of the NPPF.

CIL

In the event of the submission of any formal planning application (against officers' advice) and in the unlikelihood of any subsequent approved scheme, the proposed development would be liable for CIL as set out in the Wiltshire CIL Charging Schedule dated May 2015. This is a charge that local authorities can impose on new developments in their area. The money generated through the levy will contribute towards the funding of infrastructure to support growth and is payable upon commencement of development.

Supporting Information Required for Future Application

When preparing to submit a planning application, it is important to ensure that all the necessary plans, documents, and supporting information are included to meet both national and local validation requirements. Failure to provide the required information may result in delays or your application being declared invalid.

Wiltshire Council has adopted local validation checklists which set out the supporting documents required for different types of development, in addition to those set out by national guidance.

You can access both the National Requirements and Wiltshire Council's Local Validation Checklists here: <https://www.wiltshire.gov.uk/planning-validation-checklists>

The development proposed as part of this pre-application enquiry is considered unacceptable in principle subject to the reasons set out within the body of this response. However, if a planning application is submitted, against the advice of officers, in addition to those documents identified within the body of the report officers have identified areas that require additional detail to be submitted relating to Design and Visual Impact, Highways and Ecology.

- Design and Access Statement
- Planning Statement
- Site Local Plan
- Block Plan/Site Plan
- Existing and Proposed Plans, Elevations, Sections and Roof Plans

Advice regarding Building Regulations

It is likely that your proposal will require separate approval under the Building Regulations. The Surveyor who deals with your area can be contacted on 0300 456 0113. They are happy to provide you with free Building Regulation advice on this proposal and discuss this project further. This will help to ensure that the final decisions are compliant with the Building Regulations and may help save you time and money.

Closing Summary

The development proposed as part of this pre-application enquiry is considered unacceptable in principle subject to the reasons set out within the body of this response. This advice is offered in good faith based on current policy and guidance. While it provides a helpful steer, it cannot prejudice the outcome of any future planning application. Please ensure that any submission is fully supported by the required information and that material considerations identified above are addressed.

Should you require further assistance, please do not hesitate to contact us.

Yours faithfully
Head of Development Management

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