



---

## Appeal Decision

Site visit made on 22 July 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 1 August 2025**

---

**Appeal Ref: APP/H1705/W/25/3361068**

**Vantage House, Little Victoria Street, Basingstoke, Hampshire RG21 3FF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Alex Leka of ADL (Vantage House) Ltd against the decision of Basingstoke and Deane Borough Council.
  - The application Ref is 24/01084/FUL.
  - The development proposed is erection of a three-storey apartment building to the North-West of the site, to comprise of 6 No. one bedroom studio flats with associated private amenity space, parking and cycle/refuse storage.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Since the decision of the Council to refuse planning permission, a revised National Planning Policy Framework (the Framework) has been published. The main parties have had the opportunity to comment on this, and I have determined the appeal based on the current planning policy position.

### Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the area, including the setting of the adjacent Winton House, a Grade II listed building, and the adjacent Basingstoke Town Conservation Area (CA), including notable buildings at 1 to 4, and 37 to 47 Winchester Road, and
  - whether the proposal would provide adequate living conditions for its future occupiers, and occupiers of existing flats within Vantage House, in respect of privacy, outlook and light.

### Reasons

#### *Character and Appearance*

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I have special regard to the desirability of preserving the listed buildings and their settings, or any features of special architectural or historic interest. Section 72 of the same Act requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

5. The appeal site is adjacent to the Winton Square character area of the CA. This has a strong commercial feel, with tight-knit buildings fronting Winchester Road and a looser form around Winton Square. Relevant to this appeal, the significance of the CA is its attractive buildings, spaces and street scenes. These include numbers 1 to 4, and 37 to 47 Winchester Road, which provide frontage enclosure and definition to the street. They are identified as notable buildings in the Basingstoke Town Conservation Area Appraisal and Management Plan, October 2015.
6. Winton House also faces Winton Square, behind a front garden and driveway. It is an early 19th century building of three-storeys plus basement, with a symmetrical frontage and classical style, and secondary uses such as car parking to the rear. The reasonably lengthy space behind the building heightens its visual importance. In the context of this appeal, the significance of the listed building is its age and traditional historic form and appearance.
7. The appeal site consists of a parking area and boundary walls to the rear of Vantage House, a modern office block now in residential use. Although not yet built, planning permission<sup>1</sup> has been granted for an extension to the rear of the property. The appeal site lies within an area largely behind the surrounding buildings, on what were historically burgage plots. Above boundary wall height, the site is open of built form. Accordingly, the appeal site makes a small but positive contribution to the adjacent CA, the setting of Winton House and of the notable buildings.
8. Adjacent to one corner of the site is a large, mature tree, providing a degree of relief from the otherwise hard surroundings. A large, post-modern Job Centre building and its access road lies broadly to the south of the site. The proposal seeks to erect a block of flats to provide six, one-bed units. The building would have three storeys, the ground floor of which would be partially set below rising ground levels. An adjacent area of hard surfacing would become green open space, to provide a landscaped communal area.
9. The proposed building would have a lower height than surrounding buildings including Winton House and those fronting Winchester Road. It would consist of a main block with a rectangular footprint, a symmetrical pattern of openings giving a vertical emphasis, and smaller projections either side. The north-south orientation of the building is intended to reflect those on Winton Square, whilst the communal area seeks to emulate former gardens. A modern, contemporary building can provide a positive visual contrast with historic and more modern properties nearby, and so would not necessarily need to have the refinement of historic properties.
10. Nevertheless, in providing primary residential accommodation in this location, in a building of appreciable size, the proposal would not reflect the historically secondary and ancillary nature of the site and the area's hierarchy of uses. The height, mass and scale of the building would erode and intrude into what is currently an open area between other tall structures. It would therefore adversely diminish the space available, and the visual importance of Winton House. The proposed building would be detached and in a backland location. As such, its position and orientation would not reflect the historic enclosed form or layout of properties on Winchester Road or Winton Square.

---

<sup>1</sup> LPA reference 23/00797/FUL

11. The differing heights and depths of the projections would give the proposed building an unbalanced and awkward appearance. It would also be close to several of its boundaries, giving a tight and overdeveloped feel. The large number of false windows on its east elevation would add to this impression, giving the building a contrived design. For the reasons given above, the proposal would appear odd and incongruous. The softening provided by the proposed communal area would not compensate for this harm.
12. The appellant's Arboricultural Impact Assessment (AIA) finds that the relationship between the proposal and the tree would not result in unreasonable pressure to carry out works to the tree. I see little reason to disagree. However, the AIA proposes reduction of parts of the tree and a crown lift, to avoid risks during construction. I am concerned that this could give the tree an unbalanced appearance and risk causing long-term damage to it, adding to the adverse effects caused by the proposal.
13. The proposal would be largely if not entirely screened from Winchester Road and Winton Square by existing buildings and trees. Nevertheless, it would be clearly visible from the access road serving the Job Centre, as well as from the numerous surrounding properties. Consequently, for the reasons given, the proposal would harm the attractive buildings, spaces and street scenes of the adjacent CA, including the notable buildings, and undermine the traditional, historic appearance and setting of Winton House.
14. For the reasons given above, the proposal would harm the character and appearance of the area, including the CA as a whole. It would therefore conflict with policies EM1, EM10 and EM11 of the Basingstoke and Deane Local Plan (BDLP), adopted May 2016. These require development to have a high quality including in respect of its design, layout and relationship to other buildings; to at least conserve heritage assets; and to respect trees. For the same reasons, the proposal would not accord with the Act.
15. In accordance with the Framework, I give great weight to the harm to the designated heritage assets and their significance. In the language of Framework paragraph 215, this harm would be less than substantial, and so should be weighed against public benefits. I shall consider these below.

*Living Conditions – privacy, outlook and light*

16. Vantage House is a tall building with a large mass and scale. Its rear elevation contains a large number of windows serving residential units. The permitted extension to Vantage House would have windows on its elevations facing towards the proposal. The building subject to this appeal would have windows serving habitable rooms of its Units 1, 3 and 5, directly facing the existing Vantage House. These flats and Units 2, 4 and 6 would also have windows, doors and terraces that would look towards the permitted extension, albeit at an angle.
17. The opposing windows would be separated from Vantage House by its rear areas, including the proposed communal space. Even so, there is no dispute that the available distances would be less than the minimum required by the Council's SPD<sup>2</sup>. Given these short distances, it would result in occupiers of the proposed units having a poor standard of privacy. Equally, the proposal would also result in

---

<sup>2</sup> Design and Sustainability Supplementary Planning Document, adopted July 2018.

a loss of privacy to the occupiers of the flats within Vantage House. A planning condition could require the windows in the eastern elevation of the proposal to be obscure glazed and fixed shut below a certain height. However, this would result in a poor outlook for the occupiers of the affected bedrooms, and so such a condition would not be reasonable.

18. Occupiers of proposed Unit 1 would have the noise and disturbance from the communal area immediately outside their bedroom window, adding to the poor degree of privacy for this flat. Similarly, the communal area would be overlooked by the windows of the proposal and Vantage House, providing a poor standard of privacy for users of this space.
19. Turning to outlook, the close proximity, scale and mass of Vantage House, including its permitted extension, would have a dominant and oppressive impact when seen from proposed Units 1, 3 and 5. For similar reasons, the proposed building would have a dominating effect when viewed from the closest windows within Vantage House.
20. Much of the outlook for proposed Unit 2 would be provided by windows on its western elevation. These would be located only a short distance to the site boundary and a deep retaining wall. The wall would be lowered in height, and railings and planting installed. Views down into these windows from the adjacent parking area for Winton House would be restricted by the close distance between them. Even so, the proximity and height of the wall and boundary treatments would result in an oppressive, poor standard of outlook to the occupiers of Unit 2.
21. In respect of light, the appellant's Daylight and Sunlight Report finds that nearly all of the living areas within the proposed building would meet the daylight target of the Building Research Establishment guidelines, and all would have satisfactory sunlight. The communal area would be well sunlit, exceeding the target. The Report finds that the proposal would have a negligible effect on the daylight and sunlight of surrounding properties.
22. I see little reason to disagree with the findings of the Daylight and Sunlight Report. I am therefore satisfied that adequate light would be available to existing and future occupiers. Occupiers of the proposed flats would have access to their own balconies or gardens, although the shape of the garden area to Unit 2 would limit its practical use. The proposed units would exceed the Nationally Described Space Standard. However, none of these factors are sufficient to overcome my concerns above.
23. For the reasons given, the proposal would not provide adequate living conditions for the occupiers of Vantage House, or for its future occupiers in respect of privacy or outlook. As such, it would conflict with the requirement of BDLP policy EM10, which requires a high quality of amenity for occupiers and neighbours of development, having regard to these matters. I give this substantial negative weight in the planning balance.

### **Other Considerations**

24. In accordance with the Framework, the less than substantial harm to the designated heritage assets must be weighed against the public benefits of the proposal. It would make a positive contribution of six flats to the supply of housing in the area. I give this benefit moderate positive weight.

25. Future occupiers of the proposal would make positive social and economic contributions. It would also have economic benefits, for example to local businesses and the building industry. The proposal would make more efficient use of land, on a site that is close to the services, facilities and public transport opportunities of the town centre. I give this further moderate positive weight.
26. Framework paragraph 125 gives substantial weight to the value of using suitable brownfield land within settlements for homes, which it says should be approved unless substantial harm would be caused. In light of my findings above however, this paragraph does not indicate approval. I conclude that the public benefits of the proposal would not outweigh the harm to the designated heritage assets, to which I have given great weight.
27. There is no dispute that the Council cannot demonstrate a sufficient supply of deliverable housing sites. However, the policies in the Framework that protect assets of particular importance, in this case designated heritage assets, provide a clear reason for refusing the proposal in this case. As a result, the tilted balance of Framework paragraph 11(d) is not engaged.

### **Planning Balance and Conclusion**

28. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

*O Marigold*

INSPECTOR