



Appeal Decision

Site visit made on 14 October 2025

by **Laura Cuthbert BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: APP/H1705/W/25/3369418

45 Trinity Way, Basingstoke, Hampshire RG24 9AD

- 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 Ms Emma Woodley against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/02757/FUL.
 - The development is erection of an L-shaped freestanding single storey outbuilding with an internal floorspace under 25m², in the rear garden of the property to be used as a home gym and household storage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, I saw that the development described in the banner heading above was complete. I also note that the application has been submitted retrospectively. I have dealt with the appeal on that basis.

Main Issues

3. The main issues are the effect of the development: -
 - on the character and appearance of the area; and
 - on highway safety, with specific regard to parking provision.

Reasons

Character and Appearance

4. The appeal site, 45 Trinity Way, is a semi-detached property located within a predominantly built-up residential area. It occupies a corner plot, with St Cross Road running to the east and No 45's driveway accessed from that road. The garden rises slightly towards the north, where No 1 St Cross Road, the neighbouring property, is positioned at a marginally higher elevation. By virtue of its corner position, the rear garden and driveway of No 45 make a notable contribution to the sense of spaciousness within the street scene, which is otherwise characterised by a tightly built residential layout. This positive contribution is an important aspect of the site's character and appearance.
5. The development, by virtue of its siting and poor design, appears as an incongruous addition to the street scene. Its slightly contrived L-shaped form,

combined with its position at a higher elevation than the ground floor level of No 45, creates a discordant relationship with the surrounding built form. The use of a thick black flat roof and pronounced overhang further accentuates its incompatibility with the character and appearance of the area, drawing undue attention and making the structure stand out inappropriately.

6. As confirmed during my site visit, while the boundary treatments of the neighbouring properties to the north sit higher than the development, the single storey outbuilding nonetheless exceeds the height of the boundary fence between the gardens of 43 and 45 Trinity Way, as well as the brick wall enclosing No 45 to the east. Its prominence and visibility from St Cross Road make the harmful visual impact evident within the street scene, resulting in an incongruous and intrusive addition.
7. The appellant refers to a shed previously occupying the position where part of the development now stands, specifically the section forming the 'L' within the garden. However, I have no substantive details regarding this former structure. In any event, it is highly unlikely that any shed that previously existed was comparable to the appeal development in terms of its scale, bulk, and overall form. This significantly limits the weight that can be attached to this argument.
8. The use of composite cladding is not, in itself, out of keeping with the area, as cladding is visible throughout the wider residential estate. I also note that the windows and doors of the development are similar in colour to those of No 45. However, these details do little to mitigate the overall impact. Rather than complementing its surroundings, the development, by reason of its scale, bulk, and siting, appears visually intrusive and harmful to the character and appearance of the area.
9. While I observed other outbuildings within the vicinity, none were directly comparable in terms of scale, design, or visibility to the development before me. In any event, the existence of other structures, whether similar or not, does not justify allowing development that is clearly harmful.
10. Therefore, for the reasons set out above, the development is harmful to the character and appearance of the area. It is contrary to Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-29 (the Local Plan) and Policy SSJ4 of the Sherborne St John Neighbourhood Plan 2011-2029 (the NP). Together these policies seek to ensure that development will only be permitted where it is demonstrated that proposals are sympathetic to the local character and visual quality of the area. Schemes should respect the surrounding environment by considering density, scale, layout, appearance, architectural detailing, materials, historic context, and relationships with neighbouring buildings. Proposals must be visually attractive through good architecture and positively contribute to local distinctiveness, sense of place, and the existing street scene.

Highway Safety

11. The Parking Supplementary Planning Document (July 2018) (the Parking SPD) requires that 1.75 parking spaces be provided for a 2-3 bedroom house, with all figures rounded up to the next whole number. Accordingly, No 45 should provide two parking spaces. The Council has confirmed that a condition attached to the

original planning permission¹ reinforced this requirement by mandating the retention of those spaces for parking. The development has been constructed on one of the two spaces associated with No 45, creating a potential shortfall. As a result, occupants may be forced to park on-street, either along Trinity Way or St Cross Road.

12. The appellant states that there are 16 unallocated parking spaces in the vicinity of No 45. However, such spaces are typically intended for visitors and to provide flexibility for occasional parking needs, not as a substitute for the loss of a dedicated space serving a dwelling. Reliance on these spaces would increase pressure on shared provision and undermine the purpose of visitor parking. The Parking SPD seeks to ensure that each property has sufficient allocated parking to meet its own needs without depending on communal or visitor spaces. Therefore, the availability of unallocated spaces does not justify the removal of an allocated space and does not overcome the clear conflict with the parking standards.
13. St Cross Road is a paved road with a dropped kerb and no road markings, and it appears slightly narrower than a standard two-way carriageway. While I acknowledge that surrounding roads have no parking restrictions and roadside parking would be lawful under the Highway Code, this does not negate the requirement for developments to provide adequate on-site parking in accordance with adopted standards. Reliance on unrestricted on-street parking, particularly on a road of reduced width, can lead to congestion and conflict between road users, undermining policy objectives that seek to ensure safe and efficient movement. Therefore, the availability of legal roadside parking does not justify the loss of an allocated parking space within the site.
14. Furthermore, parking partially on the road and partially on the pavement restricts pedestrian access and raises significant safety concerns. In a built-up area such as this, any reliance on roadside parking, even at a limited scale, creates the risk that occupants of No 45 may resort to obstructive parking, such as across the end of the driveway. This would impede the free flow of traffic and pedestrians, to the clear detriment of highway safety.
15. I acknowledge the appellant's concerns regarding the tandem parking arrangement, including its position on a bend, enclosure on three sides, and the perception that it appears narrower than other spaces on the estate. However, the appellant would have been aware of this arrangement when purchasing the property. The Council has confirmed that the spaces comply with the adopted Parking SPD and were considered acceptable when planning permission for the development was originally granted. The inconvenience arising from the order in which vehicles are parked within a tandem layout does not, in itself, constitute a material reason to justify the loss of a parking space.
16. With regard to visibility concerns, I note the appellant's comments that the driveway is enclosed by brick walls, requiring vehicles to encroach onto the footpath and partially into the carriageway to achieve full visibility. While I appreciate these practical difficulties, no substantive evidence has been provided to demonstrate that the existing arrangement results in an unacceptable highway safety risk beyond what was previously assessed and deemed acceptable. The approved parking layout was considered safe and functional at the time of the original

¹ Application Ref. 15/02040/RES

permission for the dwellings, and the current concerns do not alter that conclusion. On this basis, I am satisfied that the existing parking arrangement does not result in any highway safety issues that outweigh the harm identified above.

17. I note the objection raised by an interested party regarding additional cars associated with gym users. However, the Council did not consider the gym use of the development to constitute a material change of use, and in its ancillary capacity, it does not trigger a requirement for additional parking provision. I also note the appellant's assurance that clients are now asked to use unallocated spaces within the vicinity or the car park at the Co-Op Convenience Store on Trinity Way. On this basis, I see no compelling reason to reach a different conclusion on this matter, and any parking associated with gym users does not alter my overall assessment of harm.
18. Nevertheless, for the reasons set out above, the development harms highway safety, with specific regard to parking provision. It is contrary to Policies CN9 and EM10 of the Local Plan, and advice within the Parking SPD. Together these policies seek to ensure that development proposals provide appropriate parking provision in terms of amount, design, layout, and location, in accordance with adopted Parking Standards. Proposals should avoid inappropriate traffic generation or any compromise to highway safety.

Other Matters

19. The appellant states that they have identified 'at least seven other properties in the immediate area (including two on St Cross Road and one on Trinity Way) that have also removed their rear tandem space, either by erecting a building or adding a fence across the rear section'. There is also a brief mention that 'other properties on the Merton Rise Estate have amended their boundary without seeking prior planning permission'. However, no addresses or supporting details have been provided. In the absence of verifiable evidence, these claims cannot be relied upon and therefore carry only very limited weight in my assessment.
20. The Council has drawn my attention to another application that was approved². The Council states that 'this decision accepted the loss of a car parking space through the conversion of an integral garage to a gym/home office, resulting in only one parking space for the property'. However, the Council advises that the garage in question 'was notably substandard against the dimensions set out in the Council's Parking SPD for single garages, which require widths of 3.3m. As such, the garage in this instance could not be counted as a usable parking space'. This is a critical distinction, as the approved scheme did not involve the loss of a compliant parking space. For that reason, the circumstances of that case differ materially from the current appeal and significantly reduce its relevance.
21. Nevertheless, whilst all of the above is noted, each proposal must be assessed on its own merits. In this case, I have found harm for the reasons set out above, and the examples cited do not alter that conclusion.
22. The letters of support have been noted and the importance of the gym for the mental and physical wellbeing of the appellant's customers is acknowledged. I also recognise that the development serves a small, local business. However, these matters would not be sufficient to overcome the harm identified above.

² Application Ref25/00970/HSE

23. I note the appellant's suggestion that the outbuilding could be removed prior to any future sale of the property. However, such a condition would not meet the tests for planning conditions set out in the Framework. It was also suggested that a garage door could be installed to enable the outbuilding to function as a garage. This scenario, however, is materially different from the development before me. Accordingly, I can attach only minimal weight to these submissions.
24. There was some initial confusion about whether the development would normally be classed as 'permitted development', with the appellant criticising the 'lack of clear and accessible information' on the Council's website. Further uncertainty arose regarding the relevant condition of the original permission and the parking requirements set out in the Parking SPD. I also note that, because the appellant works for the Council, the application had to be determined at a planning committee meeting. The appellant has additionally criticised the planning report presented to Councillors, stating that it 'contained a number of omissions, including the parking provisions on the development and the excess of parking provided by the developers. It did not include details of any conversations with my clients or any of the alternative suggestions raised by them'. Whilst these matters may have been confusing and frustrating for the appellant, they do not materially affect my consideration of the planning merits of the appeal development.
25. Furthermore, the appellant has referred to an initial conversation that they had with the Council, where they were advised 'that the look of the building itself was not an issue, the only issue being that it was situated on a parking space', which differs from the formal decision of the Council. However, any pre-application advice is not binding. Nevertheless, any informal feedback received as part of these discussions would not outweigh the harm I have identified above.
26. The appellant contends that the development would 'future-proof' parking provision by enabling electric vehicle charging within the outbuilding. While I acknowledge this potential benefit, I can only attach limited weight to it, as such provision could reasonably be achieved by alternative means or structures that would not result in the same level of harm as the development before me now.
27. The development does not have an adverse impact on the living conditions of the occupants of the neighbouring residential properties. It does not result in any increase in noise or light disturbance, and no shrubs or trees were removed or harmed during its construction. However, the absence of harm in these respects can only be given neutral weight in the overall planning balance.

Conclusion

28. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR