



Appeal Decision

Site visit made on 11 November 2025

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/Y3940/D/25/3374706

44 Haystack Avenue, Chippenham, Wiltshire, SN14 0FY

- 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 Mrs Wilvin Chee against the decision of Wiltshire Council.
 - The application Ref is PL/2025/06066.
 - The development proposed is conversion of a garage to a habitable room.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of a garage to a habitable room at 44 Haystack Avenue, Chippenham, Wiltshire, SN14 0FY in accordance with the terms of the application, Ref PL/2025/06066 and the plans submitted with it, subject to the conditions listed below.
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The window hereby permitted to replace the garage door shall match the style, proportions, colour and materials of the existing windows on the dwelling. The permitted window shall be installed prior to the first occupation of the garage as a habitable room and retained as such thereafter.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan received 23 July 2025; Proposed Layout received 23 July 2025; Proposed Parking Facility received 23 July 2025.
 - 4) The development hereby permitted shall not be first occupied until three secure covered cycle parking spaces have been provided, allowing independent access to each cycle space. Thereafter those spaces shall be kept available for the storage of bicycles only.

Main Issues

2. The main issues are: (a) the effect of the proposed development on highway safety, and (b) whether sufficient provision has been made for secure cycle storage.

Reasons

Highway safety

3. The appeal site forms part of a modern estate with the host property a two storey detached house comprising 4 bedrooms. On its north western side is a drive that leads to a single storey garage, part of a pair with the other serving 42 Haystack

Avenue. The appeal proposal involves converting the garage to a habitable room which would involve replacing the garage door with a window to match existing.

4. Policy 57 ('xiv') of the Wiltshire Core Strategy (WCS) states that new development should meet the requirements of policy 61. The latter seeks to encourage the use of sustainable transport alternatives and reduce reliance on the private car. Parts 'i' and 'ii' of the policy require consideration to be given to the needs of all transport users based on a hierarchy, with private cars at the bottom of that hierarchy. Part 'i d' of policy 64 states that residential parking will be based on minimum standards or a lesser standard where parking overspill can be controlled. For houses with 4+ bedrooms, Table 7.1 of the Wiltshire Local Transport Plan Car Parking Strategy (WLTP) states that a minimum of 3 allocated spaces will be required.
5. The Council's Delegated Report (CDR) confirms that their Highway Officer objected to the proposal on the basis it would lead to displaced parking on the highway with the potential to compromise highway safety and the free flow of traffic in a location where on street parking may already be limited. As I observed on my site visit, the whole of the garage is currently used for the storage of domestic goods. A car was parked on the drive way leading to the garage, with the submitted plan showing the ability of this drive way to park two vehicles in tandem. There is no evidence before me to suggest that the current arrangement has resulted in any overspill of parking onto the public highway or impacted on highway safety or that the proposal would lead to any change in that position.
6. Similarly, there is no substantive evidence before me to support the statement that the loss of the garage would compromise highway safety or the free flow of traffic in a location where on street parking may already be limited. I note that the objection says "*may*" but does not include any survey evidence or commentary in relation to existing on street parking provision or whether it suffers from stress. At the time of my visit, the road was not busy and there was no on street parking other than within the allocated spaces opposite the appeal site. The latter are, I have assumed, for visitors and people using the public open space north east of the appeal site. Even so, only a few of these allocated spaces were being used.
7. Whilst I accept that the proposal would reduce on-site parking from 3 to 2 spaces, contrary to the minimum parking standards, the level of conflict with the WCS and WLTP is, in my view, minor. Given also the absence of evidence of unacceptable harm to highway safety, I am satisfied, on balance, that the loss of the garage would in this instance be acceptable. My finding in this respect is supported by the current position where the garage is used for storage and not parking, with no apparent overspill or any impact on highway safety or on the free flow of traffic. As I also observed on my visit, the estate is in a sustainable location with a good level of accessibility by foot and cycle to local services, as well as to local bus services.
8. In relation to the Appellant's comment that the drive way could accommodate three vehicles, it may be possible depending on the size of the vehicles, but there is no scheme or plan before me to demonstrate that this is actually feasible. Reference has also been made to the small size of the garage, but I do not find that argument compelling. I acknowledge that modern cars are bigger but that does not apply to all cars and there is no evidence before me to suggest that a smaller family car could not be safely parked within the garage.

9. Accordingly, I find that the proposal would not conflict with the aims and objectives of policies 57, 61 and 64 or the guidance within the WLTP, which I agree should be applied flexibly having regard to local circumstances. It would also comply with paragraph 116 of the National Planning Policy Framework (NPPF) which states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety. As I have found, there is no evidence before me to demonstrate that the proposal would have an unacceptable impact on highway safety.

Secure cycle storage

10. The Council allege that the proposal would lead to the loss of the host property's existing cycle storage. As I confirmed, the garage is currently used for domestic storage. There is no suggestion that the garage was intended to or has in the past accommodated cycle storage. Indeed, that would seem impractical bearing in mind the small size of the garage and the fact it can only be accessed from its up an over door. My attention has also not been drawn to a condition or restriction on the operational planning permission for this estate that required or sought to control the provision of cycle storage.
11. Even so, this is a matter that can, in my view, be addressed by a condition, which the Appellant has agreed to. This would require safe, secure and covered cycle storage to be provided within the rear garden prior to first occupation. On my site visit, I was shown where the new cycle storage could be located to the rear of the garage, where a timber base has already been constructed. This location would be accessible from the pedestrian gate, sited between the host property and garage.
12. Accordingly, I find that adequate secure covered cycle storage can be secured by a condition. With this, the proposal would be compliant with policies 61 and 64 of the WCS as well as the Wiltshire Local Transport Plan Cycling Strategy.

Conditions

13. I have considered the suggested conditions against the advice in the NPPF and the Planning Practice Guidance chapter on the 'Use of planning conditions'. Conditions requiring the development to be carried out in accordance with the approved plans and for the new window to match existing are reasonable and necessary in the interests of securing a high quality development and to reflect the details included in the application.
14. I am also satisfied that a condition requiring the provision of three secure covered cycle spaces, prior to the permitted development being occupied, is necessary and reasonable to support sustainable transport objectives. I have, however, modified some of the suggested wording.

Conclusion

15. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR