
Appeal Decisions

Site visit made on 7 October 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal A Ref: APP/L1765/W/25/3366385

Unit D, South Square, Knowle, Hampshire PO17 5FL

- 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 Richard Gray against the decision of Winchester City Council.
 - The application reference is 24/01484/FUL.
 - The proposal is conversion of existing building to 4 No 1 bed flats.
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Appeal B Ref: APP/L1765/Y/25/3366363

Unit D, South Square, Knowle, Hampshire PO17 5FL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Richard Gray against the decision of Winchester City Council.
 - The application reference is 24/01816/LIS.
 - The proposal is conversion of existing building to 4 No 1 bed flats.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. I have taken the descriptions of the proposal from the application forms as confirmation that a change was agreed has not been provided.
3. As the proposal relates to a listed building, I have had special regard to sections 16(2), and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issues

4. The main issues are:

Appeal A

- The effect of the proposal on the provision of local facilities/services,
- Whether the proposal provides appropriate living conditions for future occupiers with regard to outlook and outdoor space,
- The effect of the proposal on highway safety,
- The effect of the proposal on the character of the area and community cohesion,

Both appeals

- Whether the proposal would preserve the Grade II listed building known as “Knowle Hospital, former County Pauper Asylum” (Knowle Hospital) (ref: 1095610) and any of the features of special architectural or historic interest that it possesses.

Reasons

Local Facilities/Services

5. Policy CP6 of the LPP1¹ seeks to provide and retain local services for local communities to prevent residents needing to travel excessive distances and to contribute to the overall sustainability of settlements.
6. The premises have been vacant for some time and external factors such as the wider economy have presented difficulties for the hospitality sector. Nevertheless, the planning use of the premises has not altered. Although several previous tenants at the premises have subsequently ceased to operate or moved elsewhere, each operated for several years. A variety of factors appear to have led to them closing, some commercial and some not.
7. There are some local facilities off the adjacent square and there is a café nearby. Notwithstanding this, these facilities appear to be of a different type of provision to a restaurant/bar use which has taken place at the appeal premises. Other facilities are located further afield and would likely require car journeys.
8. Consequently, it has not been demonstrated that appropriate alternative facilities have been provided.
9. While the appellant has indicated that the premises have been marketed for some time without success, no details of the marketing has been provided. Evidence from third parties indicates that there has been interest. In any event, I do not have details of the extent or type of marketing or the asking price or precise period that it took place or a report from any agents who carried out the marketing. There is also limited information on the viability of the smaller, nearby premises said to be struggling or justifying that the appeal site is less attractive given its larger size.
10. Given the uncertainty over the marketing, and level of local interest, there is no clear evidence that the premises are no longer required to serve the local community. Furthermore, it has not been shown that there is no reasonable prospect of alternative service or facility uses at the site that would benefit the local community.
11. I do not have full details of any marketing exercise or other evidence before the previous Inspector that took place relating to the conversion of the upper parts of the building. While the Council may not have included a similar reason for refusal on that scheme, the ground floor area which remained in commercial/community use subject to this appeal was retained. Therefore, it is materially different to the proposal before me.
12. Noise complaints were only received during one of the previous tenancies which indicates no such issues for the other occupiers. This suggests how the premises was occupied was the concern rather than the principle of a local facility. The

¹ Winchester District Local Plan Part 1 – Joint Core Strategy

residential use in the upper floors of the appeal building was allowed in the knowledge of the commercial use at ground floor level. The decision was subject to noise mitigation measures being provided. The appellant has failed to justify that it would no longer be possible to run a local facility of some kind from the premises due to the effect on residential occupiers nearby.

13. The current Use Class Order provides greater flexibility for changes within Class E, though several of these would still be local services/facilities in the development plan context. Moreover, the evidence does not suggest interest from uses not a local service/facility. Furthermore, a prior approval for change of use to residential is not applicable in this case as the building is listed so is not a realistic fallback.
14. Therefore, the proposal would harm the provision of local facilities. It would be contrary to Policy CP6 of the LPP1 where it seeks to prevent proposals that result in the loss of local services and facilities unless the premises is not required because it has been satisfactorily relocated or is no longer needed to serve the locality and that the site has no reasonable prospect of being used for an alternative service or facility which would benefit the local community.

Living Conditions

15. There are glazed doors on the front elevation. However, the main entrance is set back behind steps, creating some separation. Even if these steps were used by the public, there would only be views into the entrance/lobby area rather than any main parts of the accommodation. Numerous properties are located directly off the pavement in the area. Furthermore, occupiers would have a reasonable outlook from the main living accommodation from the large side windows serving those rooms.
16. There would be no proposed private outdoor space. However, there is communal spaces nearby and given the size of the units, they would be unlikely to have a large number of occupants or need for large areas of private outdoor space.
17. As such, the proposal would provide appropriate living conditions for future occupiers with regard to outlook and outdoor space. It would accord with Policy DM17 of the LPP2² where it states schemes should provide sufficient amenity and recreational space for users.

Highway Safety

18. No designated parking spaces are provided for the proposed units so the scheme would not meet the minimum standards set out in the SPD³. There are some parking restrictions in nearby streets and parking spaces were provided for the units in the upper floor of the building, although not adjacent to the building.
19. Notwithstanding this, there are a number of nearby streets and locations where parking was not restricted. Although only a snapshot in time, and it may vary at different times of day or week, there were several parking spaces available at the time of my visit. The proposal is for a small number of 1-bedroom units and there would be some informal parking spaces for the scheme within a reasonable distance of the site. As such, the additional parking would be unlikely to take place on verges, allocated spaces or where there are restrictions. Moreover, there is a

² Winchester District Local Plan Part 2 – Development Management and Site Allocations

³ Winchester City Council Supplementary Planning Document Residential Parking Standards December 2009

bus stop near the site as well as local facilities and cycle provision is made which give alternative options.

20. The commercial use of the premises would generate its own traffic and parking needs. Given my findings above that it has not been shown that such uses are unviable, they could return. This represents a more than theoretical fallback position. The travel patterns of those using the premises for its recent commercial use would be different to that of residents living at the site and their visitors. While some visitors may access the site by other modes of transport, it is likely that some would have and could travel by car and therefore required parking. Given the size of the premises, it is likely that the commercial use would have resulted in a greater number of journeys and parking demand. I give this fallback significant weight, and the appeal scheme would be less harmful in regard to this issue.
21. Therefore, while contrary to Policy DM18 of LPP2 by not providing parking spaces, the proposal would not harm highway safety and represent an improvement in relation to parking demand and movements.

Character and Community Cohesion

22. The proposal would remove a commercial/community use from the square, which as above has not been sufficiently justified. However, in relation to the wider square there are other commercial uses located off it, a bus stop near and outdoor seating and landscaping. The change of use relates to the building only so the outdoor space around the square would remain including the steps. There are many other residential units nearby so the proposed ones would not be unexpected or off putting to users of the square. Therefore, given the presence of other premises and features to attract people, the square would remain a space likely to be used by the community.
23. As such, the proposal would not harm the character of the area or community cohesion. It would accord with Policies DM15 and DM16 of LPP2 where they require proposals to respect and respond positively the qualities, features and characteristics that contribute to the distinctiveness of the local area.

Listed Building

24. Knowle Hospital is a mid-19th century complex of red brick in Flemish Bond with slate roofs in the classical style. There was a central administrative block with side ward wings and recreational hall/chapel area to the rear. Much of the building has been redeveloped for residential use and there has been considerable new development in the former grounds.
25. The appeals relate to the former chapel/recreation area. Much of the layout has already been eroded by the inclusion of the upper floors and the rooms within them. This is also the case for the rear part of the ground floor to a lesser extent where kitchen and other ancillary facilities have been partitioned from what remains of the open floorplan which would have characterised the former chapel.
26. Nevertheless, for much of the ground floor the horizontal layout remains. The bar, handrail and raised floor are subservient features that have not significantly eroded its openness and sense of spaciousness. This is indicative of its former use within the context of the main entrance when entering the building, as well as from views around the building. As such, it has evidential value in terms of the legibility of its

former use. It also has historical value because it signifies the humane treatment of patients within the context of an integrated community with a full range of social functions, which at that time included religious worship.

27. Given the above, the special interest insofar as it relates these appeals, is primarily associated with the legibility of the historic function of the building as part of the wider former use.
28. The proposed subdivision of the ground floor space into several units and individual rooms would erode the remaining feeling of space that relates back to the former use of the building. It would create numerous smaller rooms and the total loss of spaciousness the open plan area and of the understanding of the former use that is currently experienced. Given the extent of the glazing to the ground floor this would also be obvious from external views. This further horizontal subdivision would cause significant cumulative harm to the understanding of the building and its contribution to the heritage asset as a whole.
29. Externally there would only be minor changes, and these primarily relate to the modern windows with the historic lancet ones being unaffected. Some existing louvres would be removed and in places new ones introduced. As a result, these works would have a neutral effect.
30. The public function and use of the asset and chapel came later and is not part of the special interest. Consequently, the loss of the existing/last use of the building which had a public function would not harm the special interest of the building.
31. However, given the above, I find that the proposal would fail to preserve the special interest of the listed building. Due to the changes proposed and that the area affected is the last open part of the former chapel, it would lead to a moderate level of less than substantial harm but nevertheless of considerable importance and weight.
32. There would be public benefits from the scheme. I give limited weight to the contribution towards housing supply and mix because of the scale of the proposed development and as the Council has a deliverable 5-year housing land supply. There would be a reduction in traffic movements and parking pressures in comparison to the fallback position of a commercial use. However, as there is no clear evidence that this previously caused any unacceptable harm, this attracts small weight.
33. As above, while there were noise issues from the operation of the premises at times, this appears to have related to one operator rather than the use of the premises in general. Although of a different nature, there are also other commercial premises nearby with associated comings and goings. Therefore, any benefit in terms of noise and disturbance would be minimal.
34. The previous occupation of the premises would have generated nutrients. However, the Nutrient Budget Calculator provided by the appellant showed there would be a net increase from the proposed scheme and indicated the need for mitigation. The proposal would result in additional residents which would lead to increased use and pressure on protected sites⁴. As such, even if suitable

⁴ Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). Portsmouth Harbour SPA and Ramsar Site. Chichester and Langstone Harbours SPA and SAC.

mitigation could be secured for these, they would be to offset harm and be a neutral factor.

35. Planning Policy Guidance sets out that the optimum viable use is the one likely to cause the least harm to the significance of the asset. The optimum viable use may not necessarily be the most economically viable one.
36. The building has been vacant for some time, and it is likely that residential use would represent a financially viable use of the building. However, there is limited evidence that the condition of the building is deteriorating at present or the special interest being harmed as a result of it being empty. The appellant has also failed to prove that the existing use or other uses that retain the open floorplan are not viable. As such, there may be other uses, as well as the last lawful use which are viable and less harmful to the special interest of the building.
37. Consequently, I find that the public benefits do not outweigh the harm to the designated heritage asset. As such, the proposal would fail to preserve the special historic interest of the listed building. It would fail to satisfy the requirements of the Act and paragraph 210 of the Framework and insofar as they are relevant policy CP20 of the LPP1 and DM29 of the LPP2 where they seek to protect heritage assets.

Other Matters

38. As set out above there would be some benefits from the scheme and other factors which are neutral. Nevertheless, while I did not find harm from some of the main issues, the harm to the designated heritage asset and from the loss of a local facility/service is determinative.
39. The appeals are being dismissed for other reasons, and the proposal will not take place. Therefore, there is no need for me to consider the effects of the proposal on protected sites further or carry out an Appropriate Assessment.
40. The appeal for the upper floors of the building had different considerations, refusal reasons and factors to be weighed in the balance. As such, it was materially different to the scheme before me.

Conclusion

41. The proposal conflicts with the development plan and the material considerations do not indicate that the appeals should be decided other than in accordance with it.
42. For the reasons given above the appeals should be dismissed.

Stuart Willis

INSPECTOR