



Appeal Decision

Site visit made on 2 December 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 December 2025

Appeal Ref: APP/Y9507/W/25/3367266

The Old Drum, Chapel Street, Petersfield, Hampshire GU32 3DP

- 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 Unreal Estate Limited against the decision of the South Downs National Park Authority.
 - The application Ref is SDNP/24/04001/FUL.
 - The development proposed is the extension of existing outbuilding to create dwelling together with amenity space, bin and cycle storage.
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Decision

1. The appeal is allowed and planning permission is granted for 'Extension of existing outbuilding to create dwelling together with amenity space, bin and cycle storage' at The Old Drum, Petersfield GU32 3DP in accordance with the terms of the application, Ref SDNP/24/04001/FUL, and subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs has been made by Unreal Estate Limited against the Authority. This application is the subject of a separate decision.

Preliminary Matters

3. The appellant has submitted a revised site plan which has removed the reference to there being a pub garden next to the appeal site given that that site is no longer a pub but a hotel with an ancillary bar / café. I have dealt with the appeal on the basis of that plan which does not change the substance of the proposals and would not prejudice any party.
4. In response to the third reason for refusal the appellant has submitted a Noise Impact Assessment (NIA) and the Authority has confirmed that it is satisfied with its conclusions in respect of odour control and noise, subject to a condition to secure the implementation of the recommendations of the NIA. Having reviewed the submissions I am satisfied with the conclusions and recommendations of the NIA and that a condition could secure the measures therein, thus ensuring compliance with Policy SD5 of the South Downs Local Plan (2019) (SDLP) which seeks good quality design. Therefore, there is no need for me to discuss the third reason for refusal any further in this decision.

Main Issues

5. The main issues are:

- the living conditions of the future occupiers of the proposed dwelling, with specific regard to light; and
- the effect of the appeal scheme on the character and appearance of the area.

Reasons

Living Conditions

6. In response to the Authority's concerns that the proposed dwelling would fail to provide adequate light to all habitable rooms, the appellant has submitted an Internal Daylight Assessment with its appeal. This shows that all of the assessed spaces pass the criteria set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice' (2022) which relate to daylight distribution as well as with the BRE's 2011 guidance in respect of average daylight factors. Whilst the Authority has continued to express concern because some areas within the proposed dwelling would have limited light, the recommended minimum lighting levels in the guidance are based on averages which allows for variations in lighting levels across an internal space. Based on the appeal scheme's compliance with the BRE guidance, I find that there would be adequate light to habitable rooms and therefore there would be acceptable living conditions for the future occupiers. Accordingly, the appeal scheme complies with SDLP Policy SD5 which seeks good quality design.

Character and Appearance

7. Because the appeal site is in a conservation area (CA), in making this decision I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
8. In the Petersfield Conservation Area Character Appraisal and Management Plan (2017) the appeal site is located in the Petersfield Station, Lavant Street, Chapel Street and Charles Street Character Area, close to the edge of the CA's boundary. The character area is noted as providing a lively and varied secondary shopping area to the adjoining town centre where the majority of buildings make a positive contribution to the CA. The Old Drum is identified as a locally-listed building and there are no statutorily-listed buildings within the vicinity of the appeal site.
9. When I visited the site I noted high close-boarded fences on its western and eastern boundaries which separate it from its neighbours, including from the outdoor area to the rear of The Old Drum which was laid out with tables and chairs. More generally, there is a sense of enclosure that is created by surrounding buildings, including modern residential developments, some of which have been developed on relatively small sites. The local roofscape is also a notable feature with some buildings, including The Old Drum, displaying multiple differently-sized gable ends.
10. The design of the appeal scheme, which responds to that context, would not be out-of-place. Given that the single-storey extension to the existing building would be adjacent to an open parking area to the west and to the open area behind The

Old Drum to the east, it would not appear to be unduly cramped, even when taking account of the proposed wall on the eastern boundary of the appeal site. Furthermore, and having regard to the site's relatively dense context and the variety of different building forms nearby, whilst it would increase the built coverage of the site, the proposed development would not appear to be contrived or awkward.

11. Given that it would assimilate with its surroundings, I also find that the appeal scheme would have a neutral effect on the CA, and thus preserve its character and appearance, and would not result in harm to the significance of any other heritage assets or their settings, including The Old Drum.
12. Whilst the Authority has also noted that the amount and quality of external amenity space is a negative facet of the scheme, it is not unusual for developments in town centre locations to have limited private outdoor space. Whilst the outdoor area would be small, it could nevertheless provide good quality, usable space for the future occupants.
13. Therefore, the appeal scheme complies with SDLP Policy SD5 which seeks good quality design as well as with the policies in Section 16 of the National Planning Policy Framework relating to designated and non-designated heritage assets.
14. Furthermore, given that the appeal scheme involves the development of a small site in a town centre location, the appeal scheme would not conflict with the statutory purposes of the South Downs National Park, as set out at Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended), which are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Conditions

15. I have reviewed the conditions proposed by the Authority in light of the tests in the National Planning Policy Framework and advice in the Planning Practice Guidance.
16. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. Whilst the western elevation of the appeal scheme appears to be a blank wall from the submitted floor plan, a drawing showing the elevation has not been provided. Given the proximity of the appeal scheme to other residential properties I consider it necessary to attach a condition to prevent the installation (without further planning permission) of any windows or doors in that elevation – which includes the existing wall which will form part of that elevation – in the interests of the privacy of the occupiers of those dwellings.
17. It is also necessary to attach conditions relating to materials and landscaping in the interests of the character and appearance of the area. Whilst I find that a drainage condition is necessary, I have combined this with the landscaping condition so that a holistic approach to water run-off can be taken.
18. In light of the relatively small size of the site, I also agree with the Authority's conclusion that a condition which removes certain permitted development rights is

necessary, meaning that any further extensions can be fully considered by way of an application for planning permission.

19. A condition relating to noise mitigation is necessary in the interests of the living conditions of the future occupiers. Whilst the Authority's proposed condition referenced mitigation measures in the NIA, the NIA erroneously refers to mitigation measures on the western façade of the appeal scheme. Therefore, I have re-drafted the condition to require mitigation measures on the eastern façade.
20. In the interests of achieving environmentally-sustainable development, I have attached conditions requiring a sustainability report as well as the provision and maintenance of space for bicycles and for refuse / recycling facilities.

Conclusion

21. Overall, the appeal scheme complies with the development plan taken as a whole and there are no other considerations which are material to this scheme which indicate that a decision should be made other than in accordance with the development plan. Accordingly, for the reasons given above the appeal should be allowed.

P Burley

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be implemented in accordance with the following plans: 2059/102 Rev G (Plans Proposed, dated May 2024); and 2059/103 Rev F (Elevations Existing / Proposed, dated May 2024).
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other glazed apertures shall be installed in the western elevation of the dwellinghouse or on the west-facing roof slope.
- 4) The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.
- 5) Prior to first occupation of the dwelling hereby permitted, a landscaping and ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover:
 - all hard and soft landscaping;
 - the use of porous materials for drainage, or a means to direct run-off water from any non-porous surfaces to a permeable or porous surface within the site;
 - boundary treatments;
 - details of the bird bricks and the bat tubes / tiles / shelters that will be integrated into the dwelling; and
 - a timetable for the implementation of the scheme.

The approved scheme shall be carried out in accordance with the approved details and timetable, and maintained for the lifetime of the development.

- 6) Details shall be submitted to and approved by the Local Planning Authority to demonstrate that on the eastern façade of the dwelling hereby approved, windows / glazing systems and rooflights with a line of sight to The Old Drum:
 - shall achieve an internal noise level of 34 dB R_w + C_{tr} Sound Reduction Index; and
 - shall have acoustic trickle vents that will achieve 47 dB D_{n,e,w}.

The approved details shall be implemented prior to the first occupation of the dwelling hereby approved and retained for the lifetime of the development.

- 7) Details of cycle and bin storage provisions shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle and bin storage provisions shall be provided and made available prior to first occupation of the dwelling hereby approved. The approved cycle and bin storage provisions shall be maintained for the lifetime of the development.
- 8) Prior to the first occupation of the development hereby permitted, or in accordance with a programme to be agreed in writing with the Local Planning Authority, an as-built stage sustainability report shall be submitted to and approved in writing by the Local Planning Authority.

For energy this must demonstrate with reference to design-stage SAP data:

- a) Predicted CO₂ emissions from the approved dwelling to be at least 19% reduced through the energy efficiency of the building compared to the target emission rate baseline set by building regulations.
- b) Predicted CO₂ emissions from the approved dwelling to be at least 20% reduced through the use of on-site low or zero carbon energy generation compared to the target emission rate baseline set by building regulations.

For water this must demonstrate via a BRE (or equivalent) water calculator that the predicted internal mains water consumption is no more than 110 litres / person / day.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, AA, B, C, and E of Part 1, Schedule 2 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

End of Conditions