



Appeal Decision

Site visit made on 5 June 2026

By G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2026

Appeal Ref: 6005833

8 Moneyhill Parade, Uxbridge Road, Rickmansworth, WD3 7BE

- 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 Elaine Lawrence against the decision of Three Rivers District Council.
 - The application Ref is 25/1998/FUL.
 - The development proposed is loft conversion including rear dormer and front rooflight to create a new residential unit (flat), internal and external alterations.
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Decision

1. The appeal is dismissed.

Preliminary and procedural matters

2. The appeal property is set at the end of a terrace and is comprised of a restaurant on the ground floor with residential accommodation above. The appellant proposes the conversion and adaptation of the loft within the roof space to create a flat. For the reasons provided in the officer report on the application, no objection has been raised by the Council to the proposed external alterations, and I have no reason to differ.
3. The Council acknowledges that its reasons for refusal directed to a financial contribution in lieu of affordable housing and enabling a car free development could be addressed by means of a section 106¹ obligation.
4. The appellant originally claimed to have executed an executed agreement to cover the affordable housing financial requirement, but the version submitted with the appeal documentation was clearly a draft. The appellant was given an extended opportunity during the appeal period to submit an executed obligation but failed to do so.
5. She now considers that an agreement could be executed once the decision is known. However, government guidance on the timing of the submission of executed obligations is clear, and it is the appellant's responsibility to do so at the appropriate stage in proceedings. The failure to do so means that the Council's second reason for refusal has not been appropriately addressed.
6. Regarding parking, the appellant, with reference to the submitted block plan, considers that sufficient parking space exists outside the property, to the front. I

¹Of the Town and Country Planning Act 1990 (as amended)

saw however that at my site visit the spaces depicted in the block plan were restricted, being limited to Goods Vehicle Loading between 8.30am – 6.30pm. Accordingly, the spaces are not available for general parking during the day. The appellant has also failed to address the parking issue by means of a section 106 obligation as required by the Council.

7. The Council's acknowledges that reasons for refusal 2 & 3 are capable of being addressed by means of an executed obligation, and I consider its stance in this regard to be reasonable. Belatedly, in the final comments, the appellant appears to share that view, but an executed obligation has not been provided. I am satisfied that planning conditions could not adequately cover these matters. Accordingly, I support the Council's stance on these aspects.

Main Issue

8. The main issue is the acceptability of the future living conditions of the property's residents with specific reference to internal space.

Reasons

9. The Council acknowledges that the principle of the development is acceptable. Its' concerns are directed to the internal quality of the accommodation with regard to the government's statutory guidance². I consider this guidance to be a material consideration attracting significant weight.
10. For a flat of the type proposed a minimum gross internal area (GIA) of 37m² is required under the terms of the guidance. However, that part of the floorspace having a headroom of below 1.5m is not counted within the GIA unless used for storage. The Council is not satisfied having regard to the plans and information provided and the shape of the roof that the required space standard can be met.
11. The appellant was given the opportunity during the appeal proceedings to provide sections and calculations to demonstrate whether the national standards could be met. The requested additional information was not provided, and I am therefore reliant on the plans and information before me.
12. I do not doubt that the proposed flat's headroom would be acceptable in parts of the flat. By the same token it appears to me that other parts of the flat would have a headroom below 1.5m. I am not satisfied on the information before me that the minimum GIA of an acceptable headroom required by the national standards would be met. I consider it a matter for the appellant to provide the information necessary to demonstrate compliance with the standards, and this has not been done.
13. I therefore conclude, on the basis of the submitted information, that the quality of accommodation provided for future residents would be unacceptable in the terms of nationally applied standards. Accordingly, a clear conflict arises with those provisions of policy BW CO1 of the Batchworth Neighbourhood Plan (2025) directed to encourage new residential development to meet and where possible exceed the government's nationally described space standards.

² Technical Housing Standards – nationally described space standard (2015)

Other matters

14. All other matters raised in the representations have been considered, including the planning history of the property, but no other matter is of such strength or significance as to outweigh the considerations leading to my conclusions.

G Powys Jones

INSPECTOR