



Appeal Decision

Site Visit made on 15 June 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2021

Appeal Ref: APP/P1940/W/20/3256560

1A Moneyhill Parade, Uxbridge Road, Rickmansworth, WD3 7BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sumeer Bose against the decision of Three Rivers District Council.
 - The application Ref 20/0792/FUL, dated 24 April 2020, was refused by notice dated 22 June 2020.
 - The development proposed is described as 'conversion of existing two-storey dwelling into two self-contained flats'
-

Decision

1. The appeal is allowed and planning permission is granted for 'conversion of existing two-storey dwelling into two self-contained flats' at 1A Moneyhill Parade, Uxbridge Road, Rickmansworth, WD3 7BQ, in accordance with the terms of the application Ref 20/0792/FUL, dated 24 April and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PA-01.
 - 3) The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Preliminary Matters

2. The Council has confirmed that they cannot currently demonstrate a five-year Housing Land Supply (5YHLS). The Housing Land Supply Update – December 2020 confirms that the Council currently has a 2 year supply of deliverable housing sites. National Planning Policy Framework (Framework) footnote 7 states that where a Council cannot demonstrate a 5YHLS, Framework Paragraph 11(d) is engaged. This matter is considered further in relation to 'other considerations'.

Main Issues

3. The main issues are as follow:

- Whether the proposed development would provide a satisfactory standard of living accommodation for future occupiers of the second floor flat (Flat 2), with particular regard to the size and suitability of internal space.
- The effect of the proposed development upon highway safety, with particular regard to parking provision at the site.

Reasons

Living Conditions

4. The appeal site comprises a two-storey end-terraced building. This appeal relates to the first and second floor of the building, which are currently in residential use as a single two-bedroom dwelling. At first floor level the accommodation currently includes a living room, kitchen, bathroom and bedroom. The roof space of the building has previously been converted to provide additional living space at second floor level, comprising a bedroom, en-suite bathroom and storage area. At ground floor level there is an existing retail unit, which is not part of the proposed development.
5. The proposed development is to convert the existing dwelling into two separate, self-contained flats. The proposed floor plans show that the first floor flat (Flat 1) would include 2 bedrooms and would provide a total floorspace of approximately 59.23 square metres (sqm). The proposed second floor flat (Flat 2) would have a bedsit layout, providing one bedspace and a total floorspace of approximately 42.55sqm. Three additional rooflights would be installed to serve Flat 2.
6. The Council's reason for refusal asserts that Flat 2 would have a cramped and restrictive layout, resulting in substandard living conditions. The Officer Report refers to the Technical Housing Standards – nationally described space standard document (Technical Standards), published in March 2015. The Technical Standards set out two minimum floorspace standards for one-bedroom flats, those that provide accommodation for one person (39sqm) and those that provide accommodation for two people (50sqm).
7. In applying the Technical Standards, the Council concluded that Flat 2 should be classified as a two person one-bedroom flat, given that a double bed is shown on the proposed floor plan. However, I do not consider that the depiction of a double bed logically indicates that the unit would be occupied by two people. Indeed, the Technical Standards stipulate that 'furnished layouts are not required to demonstrate compliance' with the standards. I consider that the plan clearly shows a bedsit style flat, with the layout demonstrating that the kitchen, living area and bedroom would all be accommodated in one room. It is logical to conclude that a lower minimum floorspace threshold is applicable to this layout, with no internal walls obstructing movement between the aforementioned spaces. Indeed, that is exactly what the Technical Standards do, in providing specific minimum standards for bedsit accommodation. I therefore consider it reasonable to conclude that the lower minimum standard of 39sqm is applicable in this instance.

8. I acknowledge that the Technical Standards are only guidance and in this case they are not directly referred to within the development plan policies. However, I accessed the existing second floor during my site visit. The floorspace proposed for the second floor flat would be the same as that which provides living accommodation at second floor level for the existing dwelling. This enabled me to consider, first-hand, the extent of floorspace which would be provided. As a result, I conclude that the amount of floorspace which would be provided would easily accommodate a bedsit flat and would not result in harm to the living conditions of future occupiers.
9. In addition, the Council has suggested that there would be insufficient head-room, particularly in relation to the proposed kitchen space. However, no evidence has been provided to support this assertion. Having visited the property, I consider that there is sufficient headroom provided to accommodate the proposed layout. I also noted additional cavity storage space which is not shown on the plans.
10. In their representations, the Council also states that Flat 2 would not provide sufficient natural light to the future occupiers. However, again no evidence has been provided to support this. During my site visit, I noted that adequate levels of daylight are already provided by a large rear-facing dormer window and rooflight. The proposed development also incorporates additional rooflights, which would further increase access to natural light.
11. The proposed development would therefore comply with Core Strategy (2011) Policies CP1 and CP12 and Local Plan Development Management Policies Local Development Document 2013 (DMD) Policy DM1, which in part seek to ensure that development is not harmful to living conditions. I note that DMD Policy DM1 states that, normally only dwellings with three or more bedrooms will be suitable for conversion to more than one dwelling. However, the use of the word 'normally' implies flexibility and given my earlier conclusions, I find no conflict with this policy in terms of the effect on living conditions.
12. The reason for refusal also refers to DMD Appendix 2, which provides supplementary design guidance to DMD Policy DM1. There would be no conflict with this guidance with regard to this main issue.
13. The proposed development would also comply with Framework Paragraph 127, which seeks, in part, to optimise site potential, whilst at the same time ensuring a high standard of amenity

Highway Safety

14. The existing dwelling does not include any vehicle parking spaces. The proposed development would result in a net increase of one dwelling and would not include any parking. Therefore, the two flats would not have access to private parking spaces. During my site visit, I noted that there is on-street parking available on Uxbridge Road. However, these spaces are restricted to a limited duration and they would therefore not be suitable for occupants of the flat.
15. The Council considers that, given the lack of vehicle parking provided, the proposed development would result in increased pressure on parking in the area, to the detriment of highway safety. The reason for refusal refers to the parking standards at DMD Appendix 5. These standards outline that a one-

- bedroom flat should usually provide 1.75 spaces, including one 'assigned' space. However, Appendix 5 also states that, in areas of high accessibility and good service provision a reduction in the levels of parking may be appropriate.
16. The appellant has provided a transport note which outlines that the site is accessible to various modes of public transport and is within close proximity to services and facilities in the surrounding area. I concur with this assessment. The Council has also accepted that the site is accessible to public transport. During my site visit, I noted that there are two bus stops on Uxbridge Road, within very close proximity to the site. These are within a reasonable walking distance and provide regular transport links to Rickmansworth, Watford, Chorleywood and Maple Cross. Rickmansworth train station is also within a relatively comfortable walking distance. For these reasons, I consider that the accessibility of the site is such that future occupants of the development would not rely on a motor vehicle to meet their day-to-day needs.
 17. The parking spaces that are available on Uxbridge Road are all limited to a maximum of 2 hours, which would mean that it would be highly unlikely that prospective tenants would attempt to utilise them for long durations. Within this context a car-free development is acceptable and I do not consider that there would be an adverse impact upon highway safety. I also note that Hertfordshire County Council, as the Highway Authority, had no objection to the planning application.
 18. The Council has counted both flats in assessing the parking requirement. However, in applying the standards it is relevant to consider that the existing flat does not currently provide any parking. Therefore, the increased demand on parking alleged by the Council can only reasonably apply to the proposed additional one-bedroom flat. In any case, given my findings in relation to accessibility to public transport, I do not consider that there would be any adverse impact upon highway safety.
 19. The appellant has suggested that a cycle storage condition could be imposed on any consent granted. However, during my site visit it was not clear how or whether external cycle storage could be accommodated. In any case, given my findings in relation to the access to public transport, I do not consider that such a condition is necessary to make the development acceptable in this instance.
 20. For the reasons outlined above, the proposed development would comply with Core Strategy Policies CP1, CP10 and CP12, which in part require adequate provision of parking and that development is accessible to public transport. The development would also comply with DMD Policies DM1 and DM13, which require that parking provision is provided in accordance with DMD Appendix 5.
 21. The proposed development would also comply with Framework Paragraph 109 which states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

Other Considerations

22. The Council has confirmed that it cannot currently demonstrate a 5YHLS. Framework paragraph 11(d)(ii) is therefore engaged. As such, the Framework explains that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits, when assessed against the policies in the Framework taken as a whole.

23. I have already concluded that the proposed development would not result in any harm and I have identified compliance with the Framework's guidance, where relevant to the main issues.

Conditions

24. I have considered the conditions requested by the Council and the extent to which they accord with the advice contained within the Planning Practice Guidance. A condition listing the approved plans is necessary in the interest of certainty. A condition requiring details of bin storage and subsequent implementation is necessary, given that a new dwelling would be provided and that the development fronts a relatively busy street.

Conclusion

25. I have not identified any harm in relation to the main issues and I have concluded that the proposed development would accord with the relevant development plan policies. I have also taken into account the presumption in favour of sustainable development at Framework paragraph 11d(ii), which in this case weighs further in favour of granting planning permission. I therefore conclude that the appeal should be allowed.

Luke Simpson

INSPECTOR