



Appeal Decision

Site visit made on 18 March 2025

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 April 2025

Appeal Ref: APP/P1940/W/24/3355823

The Western, 205 High Street, Hertfordshire, Rickmansworth WD3 1BB

- 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 Punch Partnerships (PML) Limited against the decision of Three Rivers District Council.
 - The application Ref is 24/0237/FUL.
 - The development proposed is retention of the existing public house, demolition of the outbuilding and erection of three one-bedroom apartments (Use Class C3) utilising existing access off Wensum Way, with hard and soft landscaping, including the reconfiguration of the car park.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of their decision the Council included reasons for refusal that turned on the lack of any mechanisms; (i) securing contributions towards off-site affordable housing, and (ii) removing future occupiers access to parking permits. Through their appeal submissions the appellant has provided a unilateral undertaking which the Council found to suitably deal with both matters.
3. As a result, the Council are no longer defending these reasons for refusal and, mindful of this and the information before me, I find that it is not necessary to consider these matters further.

Main Issue

4. Therefore, the main issue is the effect of the proposal on the character and appearance of the surrounding area and on the Rickmansworth town Centre Conservation Area (the CCA)

Reasons

5. The appeal site is located within the CCA which focuses primarily on and around the High Street and Church Street. It is a tight-knit area bounded by waterways, roads and railways that have helped retained the legibility of the mediaeval core of Rickmansworth. Although there are buildings present from both before and after the 19th century, the area around the appeal site is primarily characterised by this era. With some notable exceptions, and whilst I recognise that the buildings in this area are somewhat varied, the character is largely formed by traditional terraces and semi-detached pairs with pitched roofs. I find the significance of this area to stem, at least in part, from the legibility of its history and the strong, tight, pattern of traditional buildings.

6. The Western is a detached, three-storey public house that sits at the front of the appeal site. I understand from the submissions before me that it was built sometime in the 19th Century. It has largely retained its form and appearance on the front elevation, particularly with regard to the roof form and fenestration. I note that the pub garden has been reduced over time and has, in part, been replaced by a car park, I also note the flat roof extension to the rear. These changes have somewhat eroded the interest of the public house. However, I consider that its siting, appearance and form have not been so compromised as to result in the building no longer being of interest as a non-designated heritage asset. Mindful of its age, appearance and siting, I find that the building also contributes to the wider CCA.
7. As noted above, there are some exceptions to the historic buildings surrounding the appeal site. Two immediate examples of this are the building containing the Marks and Spencer's supermarket and the Wensum Court block of flats. These sit to the front and rear of the appeal site and do not positively contribute to the historic environment.
8. The proposal comprises the demolition of an existing single-storey outbuilding in the Western's car park and its replacement with a three-storey block of flats. This building would sit along the boundary with the supermarket car park. Given its positioning perpendicular to the road and between two car parks, it would not relate to any rows of development along Wensum Way or the surrounding streets. Instead, it would appear as a visually detached feature prominent against the open car parks. The height of the building, at three-storeys, would further increase this visual prominence within the surrounding street scenes. This includes from the High Street where it would be seen in relation to the Western and where it would block views toward the rear of Ebury Road.
9. As noted above, pitched roofs are more typical of the area and, as raised by both parties, the flat roofs of the modern buildings around the appeal site, do not positively contribute to the area. The proposal would include the use of a flat roof, adding to the bulk of the building, and further increasing its intrusiveness as an incongruous feature. Beyond the form of the building, its design and detailing, including the proposed glazing, is also contemporary in style. Whilst it is not necessary that any new buildings be a pastiche of those within a conservation area, the proposed building's articulation would not suitably reflect or sympathetically sit with the form and appearance of those in the surrounding area.
10. Although I am mindful that three-storey buildings are typical within the CCA, including the immediate surroundings, this does not justify the harms outlined above as a result of its form, appearance and siting. The proposal would also not so screen the Marks and Spencer's building as to improve the visual appearance of this part of the CCA. This is especially so given the harm stemming from the proposal itself.
11. Against this background, and given the scale of the development, I find that less than substantial harm to the significance of the designated heritage asset would occur. Although less than substantial, the National Planning Policy Framework (the Framework) is clear that great weight should be given to any asset's conservation. Paragraph 215 advises that such harm should be weighed against the public benefits of the proposal.

12. The Government's objective is to significantly boost the supply of housing, and the proposal would provide three new dwellings in a location with good access to services and facilities. It would also lead to a small and time-limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal, and the under provision of housing within the area, these matters would at most attract moderate weight. The moderate weight I attach to these public benefits does not, in the circumstances of this case, outweigh the harm to the designated heritage asset.
13. In light of the above, the proposal would result in harm to the CCA and the Western, an NDHA. No public benefits have been identified that would outweigh this harm and so the proposal would conflict with Policies CP1 and CP12 of the Local Development Framework: Core Strategy (October 2011, the CS) and Policies DM1 and DM3, and Appendix 2 of the Local Plan: Development Management Policies Local Development Document (July 2013, the LP). These collectively, and amongst other matters, require developments to be of a high standard that conserves or protects the built and historic environment. Particular regard is paid to local context and the design, scale, materials and finishes of proposals, and views within conservation areas. Appendix 2 makes additional reference to siting, and roof form in this regard. The proposal would also conflict with the framework, particularly under Chapters 12 and 16.

Planning Balance and Conclusion

14. I note that both parties agree the Council cannot demonstrate a five-year housing land supply. However, the Framework provides a clear reason for refusing the development, in terms of harm to a designated heritage asset, and therefore the proposal does not benefit from the presumption in favour of sustainable development.
15. The proposal conflicts with the development plan as a whole and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR