



Appeal Decision

Hearing held on 7 October 2025

Site visit made on 7 October 2025

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2025

Appeal Ref: APP/Y1945/W/25/3365255

The Spinney, Watford, Hertfordshire WD17 4QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Rooftop Developments (The Spinney) against the decision of Watford Borough Council.
 - The application Ref is 24/01100/AAPA.
 - The development proposed is an application for prior notification of development for a single-storey upward extension above each of the 3no. existing detached buildings, to provide residential flats, cycle parking and associated storage.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for an award of costs has been made by The Spinney Residents' Association against Rooftop Developments (The Spinney). This is the subject of a separate decision.

Preliminary Matters

3. The application has been submitted pursuant to Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). This section of the GPDO can allow, subject to limitations and prior notification, for the addition of two storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats.
4. The Spinney consists of three blocks of purpose-built flats, presently three storeys in height and totalling 42No flats. The proposal seeks, under Class A of Part 20, to add a further storey to each of the blocks. This would result in 14 additional 2-bedroom flats. Other works, such as cycle parking and associated bin storage, are also proposed as part of the prior notification submission.
5. The Statement of Common Ground confirms that all the limitations in Class A.1 of Part 20 of the GPDO would be met by the scheme. Class A.2 requires that where any development under Class A is proposed, development is permitted subject to the condition that before beginning of the development, the developer must apply to the local planning authority for prior approval of the authority as to a list of specified

planning considerations. It is common ground between the main parties that the scheme would be satisfactory in all but one of the prior approval matters. There is a disagreement regarding the acceptability of the transport and highway impacts of the development. This constitutes the reason for refusal and the main issue for consideration in this appeal.

Main Issue

6. Accordingly, the main issue is whether or not the transport and highway impacts of the development would be acceptable, with particular regard to car parking.

Reasons

7. The Spinney lies within a well-established part of the built-up area of Watford where the land use is predominantly residential. It is within reasonable walking distance of Watford Junction Railway Station, with good connections to London and elsewhere, and, for some, within fairly level walking distance of the town centre.
8. The road into The Spinney, off Church Road, is a public highway and leads to road-side and nose-in parking areas. There are grassed and treed spaces surrounding the buildings and parking areas. At the end of the access road is a garage block area which provides a single garage for each of the flats. It is common ground that the garages are not wide enough to accommodate a modern car and it is understood that many of the garages are used for domestic storage purposes.
9. The Spinney has unrestricted public parking spaces and there are sections of Church Road which are also available for unrestricted public parking. However, to the broadly east there is the Controlled Parking Zone D (CPZ) where a residents' parking permit is required to be able to park on the road side. This CPZ includes parts of the more eastern sections of Church Road and adjoining roads such as Stratford Road.
10. Roads off the north of Church Road, such as Manor Road and Lockhart Road (Willow Grange), are privately owned and not available for public parking. The same situation is to be found to the north west with Colnhurst Road (the Nascot Grange Estate), although there is some permitted parking for the public within this private access for patrons of the Tesco Express. On the northern side, off Church Road, there is one publicly adopted road, Grange Close, which is a residential cul-de-sac of reasonably modern housing.
11. The scheme at The Spinney would add another floor to the three existing blocks of flats to provide 14 No two bedroom flats. No additional parking spaces are proposed as part of the development.
12. The scheme does not propose car free housing. This is because, being outside the CPZ, there would not be a legal mechanism available, such as through a Traffic Regulation Order, to prevent a resident of one of the new units from parking locally. Consequently, residents of the new units would be able to park in the public spaces within The Spinney and the other spaces in surrounding roads that have unrestricted road side parking. The appellant argues that there is sufficient spaces available for the new residents to park without causing undue parking stress.
13. When considering the likely number of additional vehicles that the scheme would generate, and therefore the likely demand for parking spaces, information from one local resident, at the planning application stage, explained that the occupants of the

- existing 42 flats (albeit that the submission refers to 38 flats) had a total of 48 vehicles. On this basis, the extra 14 flats would require about 16 parking spaces to be available in the locality.
14. Policy ST11.5 of the Watford Local Plan, in association with Appendix E, requires a maximum of 1 parking space per 2 bedroom flat. This would result in a maximum of 14 additional parking spaces that could be required.
 15. The Spinney, Watford – Revised Transport Statement – April 2025 (Paul Basham Associates) (the 2025 Transport Statement) explains that the 2021 Census data outlines a parking ratio of 1.08 vehicles per household for flats in this location. The 14 additional flats would equate to 15 additional resident vehicles. This was discussed at the hearing and the main parties accepted that 15 additional vehicles would likely result from the development and would need to be parked. Given the calculations based on the car use of the existing flats, the parking standards and the census data, which are all broadly similar, I agree that the additional units would likely generate about 15 vehicles which would need to be accommodated within the area.
 16. There have been parking survey studies undertaken to seek to assess whether the additional vehicles could be accommodated within The Spinney and surrounding roads without causing unacceptable parking stress. In date order, these are the Parking Technical Note – July 2022 (Paul Basham Associates) (the 2022 Parking Technical Note), The Spinney Parking Stress Report (December 2024) (Sanderson Associates on behalf of The Spinney Residents' Association) (the Sanderson Parking Report) and the 2025 Transport Statement.
 17. All these reports take the Lambeth Council Parking Survey Guidance Note (the Lambeth Parking Guidance) as the approach for the parking surveys and analysis. I agree that this document is a sound basis for assessing the ability of The Spinney and surrounding roads to accommodate the additional vehicles that would likely result from the development.
 18. The Lambeth Parking Guidance advises, when applied to this case, that surveys should exclude any parking spaces within the CPZ and, I also consider, in areas with single and double yellow lines. This leaves three potential roads of unrestricted parking within which the additional cars could be accommodated. They are within The Spinney, the western sections of Church Road and within Grange Close, although in the case of Grange Close the Council do not accept that this should be included as suitable road side parking and I will return to this matter later.
 19. In terms of the number of spaces available, the appellant's 2022 Parking Technical Note and 2025 Transport Statement both identify 41 spaces within The Spinney. The Sanderson Parking Report argues that there should, in practice, be 33 spaces as the kerb-side spaces opposite two areas of nose-in parking bays do not provide an appropriate manoeuvring space for those nose-in bays. While the adjacent areas of kerb-side parking are not ideally positioned, it is evident from the reports and my observations on site that these spaces are very regularly used. There is no double yellow lines along these sections of kerb and the vehicles in those two areas are not parked illegally, or with wheels on the verge. In these circumstances, while these road side spaces in conjunction with the adjoining nose-in spaces provide somewhat tight areas for manoeuvre, these spaces appear to be well used and they provide close and convenient parking for The Spinney residents. These

spaces should be included in the analysis. Consequently, I consider that the number of available spaces within The Spinney that should form the basis of the assessments should be 41.

20. There are three sections of unrestricted parking along Church Road. The appellant's reports calculate 23 spaces and the Sanderson Parking Report explains why there are 24 spaces. For the reasons in this latter Report, I prefer the 24 spaces figure.
21. With Grange Close both the appellant's parking reports and the Sanderson Parking Report calculate 10 parking spaces are available by the road side. The Council disagree that these spaces should be considered.
22. In terms of the parking situation there are a number of pertinent findings in the various reports. For instance, the 2022 Parking Technical Note, in paragraph 4.5, found that for the two nights of that survey in July 2022, the parking at The Spinney was at 100% capacity, with illegal/unrecommended parking on both days. This study found spaces available in Church Road.
23. The Sanderson Parking Report, conducted during the early hours of two weekdays in June 2024, found 42 and 41 vehicles respectively parked in The Spinney, again this area was at capacity. There was also 7 and 6 vehicles parked in the garage area at those survey times. On the first survey day there was 9 spaces available in Church Road and on the second 10 spaces free. The situation in Grange Close was that there was no road side parking taking place on the first survey day (10 spaces available), and 9 spaces available on the second survey day.
24. The Sanderson Parking Report also surveyed the parking areas on the same days during the early morning and early evening. The early morning surveys show the number of cars parking in The Spinney gradually reducing from 7.30am to 9.00am and gradually increasing from 17.00 to about 18.30 in the evening (with a small drop at and towards 19.00). Church Road during the two morning surveys is at or near capacity during these times, and with some spaces in the early evening on the first day but at or reasonably close to capacity for most of the second survey evening. Grange Close has cars parked but the number never exceeds 4 cars parked at any one time.
25. The 2025 Transport Statement surveyed the parking situation on two weekday nights in March 2025. On both survey nights there were 36 cars parked within The Spinney including 1 on the first night and 2 on the second night that were parked on or partially on the footway into The Spinney. There were 8 and 6 vehicles respectively in the garage area on these occasions. Within Church Road there was 20 cars parked on the first night and 23 during the second survey. In terms of Grange Close no car was parked on the first night and only one during the second.
26. I undertook a site visit, after the hearing had closed, during the afternoon of Tuesday 7 October. This was only a snap shot in time and did not conform to the timings of parking surveys to accord with the Lambeth Parking Guidance. Nevertheless, I found the visit helpful to gain further understanding of the parking situation.
27. On the hearing day afternoon, there were 9 spaces available within The Spinney, but a large van was parked on the footway blocking the pedestrian route on one side of the road and another car was parked on a bend with two wheels on that part

- of the footway. If these vehicles were to be parked within the spaces, this would have left 7 spaces available. There were 2 spaces free within Church Road. Within Grange Close there were 5 road side vehicles, all parked partially on the footway.
28. Drawing all this information together, it is clear that the parking within The Spinney operated close to or at capacity during the survey periods and that inappropriate or illegal parking is also taking place in a limited way. The comments from local residents at the hearing indicated that the garage area is used as an overflow by residents but was said to be an unattractive parking area because of the lack of lighting and natural surveillance. There is also a limited capacity in this area because of the manoeuvring spaces available and the need not to block garages. This area, therefore, which is already being used, would not provide a reasonable option to accommodate the extra parking demands. I also consider that parking in the CPZ overnight, or temporarily on single yellow lines, would not be an appropriate solution to seek to accommodate the vehicles that the development would generate.
29. The unrestricted parking section of Church Road is also well used, with 9 or 10 spaces available during the June 2024 surveys (the Sanderson Parking Report) and only a handful of spaces available during the March 2025 surveys (the 2025 Transport Statement). This leads me to the conclusion that the additional 15 cars, which the proposed development would generate, could not on most occasions all be accommodated within the available spaces within The Spinney and Church Road.
30. Consequently, some of the vehicles which would be generated by the scheme would need to be parked elsewhere and Grange Close appears to be the only other option that is potentially available for unrestricted car parking.
31. Grange Close is within a 200m walking distance of The Spinney and has an entrance off Church Road with adjoining manicured hedges either side. There is a gentle curve of the road into the estate, with the surface having a rumble strip with setts and then a concrete paviour roadway, rather than the tarmac finish to the surface which is found on most other roads nearby. There is also a footway on only one side of the road with some private gardens abutting the access into the estate. These elements combine such that Grange Close has a distinctive and separate character compared with Church Road and the more open appearance of The Spinney. I consider that Grange Close does have a different character and appearance to adjoining public roads and it is such that it gives the impression that it is more like a private estate road.
32. The parking survey results show that road side parking in Grange Close is fairly poorly used and I consider that the private road character of Grange Close appears, in my view, to have the effect of discouraging general on road car parking by residents occupying accommodation in the wider area.
33. Furthermore, on the occasion of my site visit, all the cars parked on the road had two wheels on the footway, reducing the available width for pedestrians. This seems to me a response to the reasonably narrow width of the road and that some of the kerb side spaces are opposite the drives of private properties such that parking solely on the road could hinder the free movement of cars into and out of those private house drives. These circumstances further reduces the suitability of Grange Close to be considered for unrestricted parking for vehicles generated by

occupants of The Spinney. I accept that the width of this section of Grange Close is the same as within The Spinney but the response to parking in Grange Close appears to be for drivers to park partially on the footway and this does not generally occur opposite the nose-in sections of The Spinney.

34. I appreciate that all of the transport reports explain that Grange Close is a public highway that can be included as available for unrestricted parking within the parking stress analysis. I also acknowledge that the Highway Authority did not object to the development. Nevertheless, the Lambeth Parking Guidance explains that common sense should be applied in all cases and the extent of the survey area and justification for any amendments should be included in the survey.
35. The information from the surveys indicates that occupants of The Spinney, when The Spinney spaces are close to or at capacity, still seem to be unlikely to park within the available spaces within Grange Close, because there appears a preference for some to park inconveniently or illegally.
36. Consequently, for all the reasons set out above, I agree with the Council that Grange Close is not a reasonable option for overspill car parking from The Spinney and Grange Close should be excluded from the unrestricted parking areas that should form part of the survey analysis.
37. On this basis, the survey information shows that the generally typical number of unrestricted spaces available in The Spinney and Church Road would be insufficient to accommodate the vehicles that would result from occupants of the 14 extra flats.
38. Without the inclusion of Grange Close the situation is that the parking in unrestricted spaces that would result from the additional 14 flats would be often beyond capacity of suitable spaces in the area, and this would lead to unacceptable impacts on parking. I also judge that, with the fairly self-contained nature of The Spinney, the additional occupants of the proposed flats would still likely seek to park within The Spinney area and this would lead to higher levels of parking stress together with additional inconvenient and illegal parking, examples which are already occurring as noted in some of the reports and I witnessed at my site visit.
39. Even if the Grange Close spaces were to be included within the available roads for unrestricted parking, the reasonably limited number of total spare spaces would still result in a high level of parking stress. In my view, this would be a matter of serious concern that would result from the development and unduly impact on local parking.
40. In coming to these views, I have taken into account the parking report in respect of the Biskra development. This was a scheme for 6 units above the existing flats on land to the broadly west of The Spinney. The parking report included a section of Grange Close in the analysis which concluded that the surrounding area could accommodate the additional vehicles that the Biskra scheme would generate without the need for on-site parking. It seems to me that this parking report, because it covered other roads to the further west showed that there would not be an adverse effect and that the Grange Close spaces were a minor factor in the analysis. That is not the case with the present scheme where Grange Close seeks to provide a meaningful contribution to meeting the parking needs of the development. Consequently, I am satisfied that the Biskra report and the related

permission does not weigh against my findings in this appeal, and I give it limited weight in my analysis.

Conclusion

41. In conclusion, the evidence indicates that parking in The Spinney often operates very close to or at capacity. Additional residents and their parking requirements are unlikely to be able to be accommodated within The Spinney and available spare spaces within Church Road would not be sufficient to meet the demand. For the reasons explained, I am not satisfied that Grange Close would provide a reasonable alternative. The result would be that The Spinney and the western sections of Church Road would often be beyond capacity and parking stress would be unacceptably high. The result would likely be increased inconvenient and illegal parking, that would potentially be on footways and/or at junctions/corners within The Spinney site.
42. I consider that such parking would likely adversely affect the use of the highway for other road users and lead to some pedestrians having to walk in the road and thereby would cause an undue highway safety danger. There could also be an adverse effect on the free flow of traffic and affect the ability of emergency service, refuse and delivery vehicles to access The Spinney and negotiate parts of Church Road. I consider that these adverse effects would be significant and enduring. The level of highway harm would be such as to lead to an unacceptable impact on highway safety and, in accordance with the National Planning Policy Framework, the development should be prevented or refused on highway grounds. Planning conditions attached to any approval could not address or overcome this harm.
43. Accordingly, when considering the prior approval matter in question, the transport and highway impacts of the scheme would not be acceptable and the scheme should not be allowed for this reason. The proposal would therefore not be permitted development under Part 20.
44. For the reasons explained above, I conclude that prior approval should not be granted and therefore the appeal should be dismissed.

David Wyborn

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Mr Peter Higginbottom MRTPI	Planning Insight
Mr James Rand MSc MCIHT	Paul Basham Associates
Mr Ben Ellinger	Appellant

FOR THE LOCAL PLANNING AUTHORITY

Mr Andrew Clarke	Watford Borough Council
Ms Alice Findlay	Watford Borough Council

INTERESTED PARTIES

Mr David Lomas	MSC Planning Associates on behalf of The Spinney Residents' Association
Mrs Karen Smith	Fairfield Associates on behalf of The Spinney Residents' Association
Mr Antonio Hernandez	Local resident
Mr Sean Crossan	Local resident

Additional documents provided at the hearing

1. Policy ST11.5 and Appendix E of the Watford Local Plan 2021-2038