IN THE VALUATION TRIBUNAL FOR ENGLAND
IN THE MATTER OF A 2017 RATING LIST APPEAL

Case Nos: CHG101229806
CHG101184574

Sitting remotely using
Microsoft Teams

Date: 6 October 2025

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — shop and premises; end allowances in dispute; width to depth ratio; layout; rental evidence; comparable assessments; appeals allowed in part.

Before:
MRS R HEALD
MS L OWUSU-AFRIYIE

Between:

DNATA TRAVEL — **Appellant**

- and -

ANDREW MOULAND (VALUATION OFFICER) — **Respondent**

Regarding:
23-24 HIGH STREET, WINCHESTER, SO23 9JX
(the "subject property")

Mr R Locke from Rabbette Chartered Surveyors, representing the Appellant
Mr S Britton for the Respondent

Hearing date: 11 September 2025

DECISION AND STATEMENT OF REASONS

Decision

1. The appeals are allowed in part.

2. The Tribunal determined revised rateable values (RV) of £120,000 with effect from 1 April 2017, and £120,000 with effect from 10 September 2018, to reflect a 6% end allowance for width/depth and a 5% line adjustment for layout issues on the first floor.

Introduction

3. These are 2017 rating list appeals. 23-24 High Street, Winchester, SO23 9JX (the subject property) had been entered in the 2017 rating list as “shop and premises” at £128,000 RV with effect from 1 April 2017. An alteration had been made to reflect the addition of air conditioning with effect from 10 September 2018, however, the RV remained at £128,000 RV as the additional value had been lost in the rounding.

4. The challenge proposals were submitted by Rabbette Chartered Surveyors on behalf of dnata Travel (trading as Travelbag), and received by the Valuation Officer on 16 February 2024. Both challenge proposals sought allowances for layout and width/depth issues.

5. The Valuation Officer issued challenge case decision notices on 10 December 2024, which disagreed with the proposed alterations of the list, and stated that the rating list entries were reasonable based on the evidence and information available.

6. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeals to this Tribunal have been made on the grounds that the valuation for the hereditament is not reasonable. The appeals were lodged by Rabbette Chartered Surveyors on behalf of the appellant, and received by the Tribunal on 11 April 2025.

7. This statement of reasons is not, and does not purport to be, a full verbatim record of proceedings.

Preliminary issue

8. Following a recent joint inspection, Mr Britton submitted that the area of the subject property had been measured incorrectly. He provided a revised plan which reflected an additional area of 10.6m^2 within Zone A, and a revised valuation at £140,000 with effect from 10 September 2018.

9. In response, Mr Locke stated that the plans submitted by a chartered surveyor at Check were accurate, and had been agreed with the Valuation Officer. He cited the Valuation Tribunal’s decision in *ArcelorMittal Distribution Solutions Ltd and Lucy Formela-Osbourne (Valuation Officer)* (CHG101142687), in which the President had rejected the Valuation Officer’s late request to dispute the survey measurements and include items not reflected in the valuation.

10. Following a brief adjournment, the panel confirmed that the appeals would be determined on the basis of the areas agreed at Check. While it was acknowledged that Mr Britton considered it was his duty to raise the issue, the panel was persuaded by Mr Locke that Mr Britton’s revised areas had been based on an assumption of a 20cm gap either side, and no deduction made for the columns. The panel decided to concentrate on the issues raised in the challenge, namely whether there should be end allowances for layout and width to depth.

Relevant Law

11. Rateable value is to be determined in accordance with paragraph 2(1) of Schedule 6 to the Local Government Finance Act 1988, which provides:

    (1) The rateable value of a non-domestic hereditament none of which consists of domestic property and none of which is exempt from local non-domestic rating shall be taken to be an amount equal to the rent at which it is estimated the hereditament might reasonably be expected to let from year to year on these three assumptions—

    (a) the first assumption is that the tenancy begins on the day by reference to which the determination is to be made;

    (b) the second assumption is that immediately before the tenancy begins the hereditament is in a state of reasonable repair, but excluding from this assumption any repairs which a reasonable landlord would consider uneconomic.

    (c) the third assumption is that the tenant undertakes to pay all usual tenant's rates and taxes and to bear the cost of the repairs and insurance and the other expenses (if any) necessary to maintain the hereditament in a state to command the rent mentioned above.

    In respect of an appeal against an entry in the 2017 rating list, the rental levels are to be taken as those passing at the antecedent valuation date (AVD) of 1 April 2015 in accordance with the Rating Lists (Valuation Date) (England) Order 2014 (SI 2014 No. 2841).

12. The material day (the date by which physical factors have to be taken into account) was provided by the Non-Domestic Rating (Material Day for List Alterations) Regulations 1992 (SI 1992 No. 556) as amended. In respect of the subject appeals, the material days are 1 April 2017 (CHG101229806) and 10 September 2018 (CHG101184574).

Discussion

13. The subject property is a double retail unit located in Winchester city centre. The accommodation is arranged over two floors, with the ground floor providing the main retail area and the first floor providing ancillary accommodation. The present valuations are based on an adopted Zone A price of £1,700 per m^2.

14. The case for the appellant is that the subject property should be assessed with a 6% end allowance for its width to depth ratio, and a 5% end allowance to reflect layout issues. The respondent disputes that end allowances are warranted, as the subject property is considered to be a standard unit with no visible disadvantages in layout; it is further submitted that the rental evidence for the subject does not support any allowances.

15. The panel first considered the issue of an end allowance for width/depth. Mr Locke confirmed that with a width of 10.19m and a depth of 9.68m, the width to depth ratio for the subject property is 1:095. He cited the case of *WH Smith v Clee (VO)* [1978] which concerned a relatively large shop in Gloucester with a wide frontage in comparison to its depth. In the Lands Tribunal decision, it was stated:

> "it is common ground that the normally expected ratio between the frontage and the depth of the sales area of a shop is of the order of 1:2 or 1:3. The corresponding ratio for the appeal shop is 1:0.34."
>
> "A 14% end allowance from the zoning valuation was made for shape, i.e. for excess frontage in relation to depth."

16. In support of his adopted 6% end allowance, Mr Locke provided the following details in respect of comparable properties:
    - 4 St Martins Street, Chichester, PO19 1NN (width/ depth 1:1.1) - 2.5% end allowance.
    - 95-97 Palmerston Road, Southsea, PO5 3PR (width /depth 1:0.6) - 7% end allowance.
    - 62 High Street, Salisbury, SP1 2PF (width/depth 1:3.97) 10% end allowance.
    - 199 High Street, Guildford, GU1 3AW (width/depth 1:092) - 6% end allowance.

17. While he acknowledged that the comparable properties were not in the same locality as the subject property, Mr Locke explained that they had been provided to show the principle that properties with a similar width to depth ratio attracted an end allowance. As the width to depth ratio of 199 High Street was the most similar to the subject property, he proposed a 6% end allowance for the subject.

18. On behalf of the Valuation Officer, Mr Britton contended that the rental evidence for the subject property did not demonstrate that end allowances were warranted. The passing rent effective from 2018, adjusted for fit out, analysed at £2,497.90 per m^2; the previous occupier had been subject to a rent of £138,000 per annum, effective from 22 September 2021, which analysed at £1,702.23 per m^2.

19. The Valuation Officer had considered double units in Winchester, but had found that the majority did not have any allowances applied. Of the small number with end allowances, it was contended that the circumstances were completely different from those at the subject property. The relevance of Mr Locke's comparable properties in different locations was disputed.

20. The panel was aware that the zoning approach is designed to allow for depth in a shop, but makes no allowance for a shop having an excessive frontage and therefore excessive Zone A in relation to its depth. Therefore, if the standard Zone A value derived from the evidence of shops with a normal ratio of frontage to depth is used, it is likely that the shop will be overvalued.

21. The panel had heard from Mr Locke that the comparable properties presented by the Valuation Officer were predominantly rectangular, and therefore a width to depth allowance was not appropriate. In contrast, the subject property has a square layout. The panel noted the similarity of the subject property with 199 High Street, and therefore considered that a 6% end allowance for width to depth was appropriate.

22. The second issue considered by the panel was an end allowance for layout. While the Valuation Officer submitted that the subject property had a standard layout, Mr Locke highlighted the disadvantages which resulted from the merger of two units into one: the middle section of the ground floor is thinner than the front section, and there are columns and a ramp in the retail area; the first floor is fragmented, with only one door joining both units together.

23. While the challenge proposal had sought an end allowance of 7.5%, upon reflection, and in consideration of the evidence presented by the Valuation Officer, Mr Locke submitted that an end allowance of 5% was a fair adjustment. In support, he provided the following details in respect of comparable properties:
    - 127 128 High Street, Lymington, SO41 9AQ – 5% end allowance.
    - 37 The Brooks, Winchester, SO23 8QY – 5% end allowance.
    - 10 Queen Street, Salisbury, SP1 1EY – 7.5% end allowance.
    - 58 High Street, Salisbury, SP1 2PF – 6% end allowance.
    - 56 High Street, Salisbury, SP1 2PF – 10% end allowance.

24. With reference to the layout plans of the subject property, the panel was not persuaded that there were any significant disadvantages to the layout on the ground floor which would warrant an end allowance of 5%. However, the panel did consider that the first floor was disadvantaged by the fragmented layout and the presence of only one door in between the two units. While not persuaded that an end allowance of 5% should be applied to the whole property, the panel determined that it was reasonable to apply a 5% line adjustment to the first floor areas.

25. It appeared to the panel that the Valuation Officer had attached significant weight to the 2018 and 2021 subject rents in his refusal to accept that any end allowances were warranted. On this point, the panel considered that rents three years before and after the AVD carried little weight. In the absence of any AVD rental evidence to enable a comparison with the subject property and comparable properties in the locality, it was not possible to ascertain if the disadvantages of the subject were reflected in the rent. On the balance of probabilities, the panel considered that Mr Locke had demonstrated that adjustments were required to reflect the width to depth ratio, and the fragmented layout on the first floor.

Determination

26. In view of the above findings, the panel concluded that the appellant's representative had demonstrated that the RVs were not reasonable. The Tribunal allowed the appeals in part and determined revised valuations to reflect a 6% end allowance for width/depth, and a 5% line adjustment for the first floor:

CHG101229806 – 1 April 2017

Floor	Description	Area m^2	£ per m^2	Value (£)
Ground	Zone A	59.40	1,700.00	100,980
Ground	Zone B	23.67	850.00	20,120
Ground	Internal Storage	4.99	170.00	848
First	Office	43.40	80.75	3,505
First	Office	13.13	80.75	1,060
First	Kitchen	15.32	80.75	1,237
			Subtotal	127,750
		Allowances		
Width to depth ratio		-6.00%		7,665
Total				120,085

Rounded down to £120,000 RV

CHG101184574 – 10 September 2018

Floor	Description	Area m²	£ per m²	Value (£)
Ground	Zone A	59.40	1,700.00	100,980
Ground	Zone B	23.67	850.00	20,120
Ground	Internal Storage	4.99	170.00	848
First	Office	43.40	80.75	3,505
First	Office	13.13	80.75	1,060
First	Kitchen	15.32	80.75	1,237
			Subtotal	127,750
Additional items				
Air conditioning		83.07	7.00	581
			Subtotal	128,331
Allowances				
Width to depth ratio		-6.00%		7,700
Total				120,631

Rounded down to £120,000 RV

27. Under the provisions of regulation 38(4) of The Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009, the Valuation Tribunal for England orders the Valuation Officer to alter the entry in the rating list to £120,000 RV with effect from 1 April 2017 (CHG101229806) and £120,000 RV with effect from 10 September 2018 (CHG101184574).

28. Under regulation 38(9), the Valuation Officer must comply with this order within two weeks of the date of its making.

29. A refund of the paid fees will now be arranged provided there is no review of the Tribunal's decision. The refunds will take around six weeks to process.

Right of further appeal

30. Any party who is aggrieved at the Tribunal's decision, and who appeared or was represented at the hearing, has a statutory right of further appeal to the Upper Tribunal (Lands Chamber) pursuant to Regulation 42 of the Tribunal Procedure Regulations. A party does not require permission to appeal from the Tribunal. Any appeal must be made directly to the Upper Tribunal (Lands Chamber) within **four weeks** of the date this decision and statement of reasons is issued.

31. Further information regarding this statutory right of further appeal, and the parties' other rights, is contained in the guidance booklet "*A guide to tribunal decisions*" available on the Tribunal's website at www.valuationtribunal.gov.uk/guidance-booklets/.

Mrs R Heald, Senior Member (Presiding)

Ms LA Owusu-Afriyie, Senior Member

6 October 2025

Mrs L Horne
Clerk to the Tribunal
Date issued to the parties: 6 October 2025