
Appeal Decision

Site visit made on 3 February 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23RD February 2022

Appeal Ref: APP/X0415/D/21/3286876
19 Linfields, Amersham, Bucks, HP7 9QH

- 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 B Divsalar against the decision of Buckinghamshire Council.
 - The application Ref PL/21/2602/FA, dated 14 June 2021, was refused by notice dated 23 August 2021.
 - The development proposed is front and rear dormers to create loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for front and rear dormers to create loft conversion at 19 Linfields, Amersham, HP7 9QH in accordance with the terms of the application Ref PL/21/2602/FA, dated 14 June 2021, subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and its surroundings.

Reasons

3. The appeal property is a detached dwelling set in a modestly-sized, secluded estate comprised of similarly designed attractive dwellings. The estate has an open plan suburban layout formed around culs-de-sac, of a typology identified in The Chiltern and South Bucks Townscape Character Study 2017. The dwelling's roof is currently unaltered, which is in common with the majority of houses within the estate. The steep roof profiles of the houses are prominent design features.
4. The Council's principal objection relates to their concern that the dormers, in combination, would detract from the visual integrity of the dwelling, and given the roof's prominence would prove to be intrusive features in the street scene. The development, for the reasons set out in the officer report on the application, is said to be at odds with the Council's adopted guidance on dormer design¹, and with specific development plan policies on dormer windows², which I consider to be the most relevant in the context of this appeal.

¹ Residential Extensions and Householder Development, Supplementary Planning Document 2013.

² Saved Policies H18 & GC1(g) Chiltern District Local Plan

5. The Council, however, acknowledges that the rear dormer subject of the appeal comprises permitted development; indeed, it has certified to that effect³. I regard this as representing the appellant's fall-back, attracting considerable weight as a material consideration.
6. The appellant has pointed to examples within the estate either of a recent planning permission granted for roof alterations, at No 10, or a certificate of lawfulness for dormers and a loft conversion, No 12. I saw that the latter development had been carried out, and it did not look out of place to me.
7. Both proposed sets of dormers, front and back, would be seen from some vantage points on the roads serving the estate. However, I do not share the Council's concern that they would result in visual harm either to the host property or the wider surroundings. The dormers proposed to the front are relatively small, proportionate and well-designed. The rear dormer would be bulkier, but not excessively so, and for the reasons explained earlier, it comprises permitted development, a factor which cannot simply be ignored.
8. I conclude that the proposed development, if implemented, would sit acceptably in its visual context without causing harm. Accordingly, I find no conflict with those most relevant policies and guidance referred to earlier, dealing specifically with dormer windows.

Conditions

9. The Council has suggested the impositions of conditions in the event of planning permission being granted. A condition identifying the approved plans is necessary in the interests of certainty. A condition relating to materials shall also be imposed in the interests of visual amenity.

Other matters

10. All other matters raised in the representations have been taken into account, including the representations made by neighbours. I have already dealt with aspects relating to the design acceptability of the proposals, and I note that the Council's officers assessed other aspects of the objections including privacy. I concur with the officer assessment on the other issues raised by neighbours.
11. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusion that the appeal should be allowed.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.

³ Certificate of Lawfulness Ref PL/21/2445/SA dated 23 August 2021

2. The development hereby permitted shall be carried out in accordance with the following approved plans: the OS Location Plan and Drawings Ref: Linfields-19:- 3RevC; 4RevC; 6RevC; 8RevC & 9RevC.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.