



Appeal Decision

Site visit made on 25 October 2023

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 22 November 2023

Appeal Ref: APP/X0415/D/23/3323861

The Old Barn, Orchard Road, Beaconsfield, Buckinghamshire HP9 2DZ

- 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 Lawley Exelby against the decision of Buckinghamshire Council.
 - The application Ref PL/22/4274/FA, dated 6 November 2022, was refused by notice dated 22 March 2023.
 - The development proposed is First floor rear extension and new roof with 6 solar panels.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant submitted an ecological report titled 'Preliminary bat roost assessment' with the appeal in response to the second reason for refusal. As this was not before the LPA at the time they made their decision, I have invited comments from the Council which have been taken into account.

Main Issue

3. The main issues are (i) whether it is demonstrated that the proposal could accord with regulatory requirements in relation to European Protected Species and (ii) the effect of the proposal on the character and appearance of the dwelling and street scene.

Reasons

European Protected Species

4. The submitted ecological report prepared by Chase Ecology of 22 May 2023, makes clear that the existing roof of the building has '*evidenced roosting features of moderate value throughout the front and rear roof coverings (offering) likely access to both void and crevice-dwelling bats*' and, notwithstanding the absence of roosting evidence, goes on to identify the necessity for emergence/re-entry surveys at suitable times of year to attend to the requirements of the Conservation of Habitats and Species Regulations 2017.
5. Whilst I note the appellant suggests that the necessary surveys could be required to be provided by a condition attached to a grant of planning permission, it is clear that the outcomes of such survey work is unknown at

this time and in consequence the presence of protected species cannot be ruled out. By virtue of the precautionary principle embedded in the Habitats Directive it would not be appropriate to grant permission whilst the potential for impact upon protected species of works such as those proposed, remains in doubt. In its present form the proposal conflicts with policy CP9 of the South Bucks Core Strategy (2011) and requirements within the National Planning Policy Framework to protect and enhance biodiversity.

Character and appearance

6. The Old Barn appears to be a remnant of former use of the land now occupied by surrounding twentieth century housing of varied design and layout. Its scale is modest, and the proposal would add an upper storey to a single storey rear extension, increasing the overall depth of the roof and first floor.
7. Policy H11 of the South Bucks District Local Plan¹ (SBLP) sets out criteria for the assessment of alterations to residential dwellings indicating that alterations should 'harmonise' with the existing building in terms of scale, height, form, and design. Whilst the proposal would bring about a significant change in the form of this cottage-style dwelling, the design does seek to retain elements of its distinctive character and also goes to some lengths to mitigate the visual impact of adding solar panels on the roof surface. My observations direct that within the mixed context provided by neighbouring properties in Orchard Road, little weight should be attached to the impact of the change to the building which the proposed development would introduce.
8. Overall, the development would provide additional accommodation in a modestly sized dwelling which, subject to conditions as to materials and colours, would harmonise with the original cottage form. Whilst I note the Council's comments as to the prominence of the proposed development, these concerns are outweighed by the benefit of sensitive enlargement and improvement of outdated housing stock, including some modest environmental benefit which the addition external building fabric would bring. The proposal would not, therefore, introduce unacceptable change to the character and appearance of the host dwelling or surrounding area.
9. However, notwithstanding my conclusion on the second main issue, this cannot outweigh the harm to biodiversity and habitat that has been identified and, in consequence, for the reasons stated and taking all matters raised into account, that the appeal cannot succeed due to conflict with the development plan, taken as a whole.

Andrew Boughton

INSPECTOR

¹ South Bucks District Local Plan (adopted March 1999, Consolidated September 2007 and February 2011),