



Appeal Decision

Site visit made on 31 July 2024

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/K0425/D/24/3340782

18 Chestnut Lane, Hazlemere, Buckinghamshire, HP15 7BZ

- 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 Mr Zahid Rahman against the decision of Buckinghamshire Council.
 - The application Ref is 23/06342/FUL.
 - The development proposed is raising of roof in connection with creation of first floor, associated roof alterations, two storey front extension, single storey rear extension including 2x rooflights and fenestration alterations.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 14 August 2024.

Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this case are its effect on the character and appearance of the area and on the living conditions of residents and whether it makes provision to protect biodiversity.

Reasons

3. 18 Chestnut Lane is a detached bungalow located in an established residential area. The street slopes downhill from northeast to southwest and is characterised by detached dwellings in good sized plots which vary slightly in width. There is some uniformity in the design and form of some of the dwellings but there is also a wide variety of size, height and detailing including relatively small, modest bungalows, substantial chalet bungalows with prominent roof forms and large dormers and a small number of two storey houses.
4. The relevant policies in this case are CP9, DM35 and DM36 of the Wycombe District Local Plan 2019 (the local plan) which, among other things, require development, including residential extensions, to be of a high quality of design and to respect the character and appearance of the surroundings and to preserve the amenities of the occupants of neighbouring properties. Policies DM13 of the adopted Delivery and Sites Allocation Plan 2013 and DM34 of the local plan require all development to protect and enhance biodiversity.

Proposals should be accompanied by a proportionate assessment of existing biodiversity. The Council's SPD *Householder Planning and Design Guidance* 2020 provides detailed advice on residential extensions.

Character and appearance

5. No. 18 is one of the more modestly sized bungalows in the street and the proposal amounts to a remodelling of the building into a two storey house of simple traditional design. It would have a pitched roof with the ridge parallel to the street and gable ends, reflecting those of No. 17 next door and others in the street. It would also have a front gable projection above the existing ground floor and a modest gabled dormer to the front. Although not the largest, the plot is a good size compared with some others in the street.
6. I consider that the proposal would not appear out of place since there are several dwellings with prominent roof forms and large dormers which are of a substantial bulk and appearance not dissimilar to a conventional two storey house. There is also a small number of two storey houses. The proposed increase in height and width of the dwelling would distinguish it from the neighbouring bungalows, but it would not appear unacceptably large or dominant in the wider varied context of the street.
7. The proposed rear single storey extension would replace the existing pitched roof single storey projecting element adjacent to the boundary with No. 19, together with the smaller one on the side adjacent to No. 17. This would result in a simpler and more compact element with a lower flat roof compared to the existing pitched roofs. Although the connection between the proposed flat roof and the new main roof would not be ideal it would reduce the overall bulk of the extension and would be similar in form to that at No. 17. It would not be visible from the street.
8. Although the proposal would interrupt the appearance of the succession of roofs of the bungalows stepping down the hill on this side of the street, this is a short run of similar building forms and I consider that it would not be unacceptable in the wider context of larger buildings.
9. I conclude that the proposal would not harm the character and appearance of the building itself nor the wider street scene and that in this respect, it is consistent with local plan policies CP9, DM35 and DM36.

Living conditions

10. No. 19 is a bungalow set at a lower level than No. 18 which lies to the northeast. There are three windows in the side elevation facing No. 18. On the basis of the information before me, I understand that the two larger ones at No. 19 are secondary windows providing additional light to habitable rooms which have primary windows facing the front and rear. The window towards the front is located forward of the building line at No. 18 with an outlook across the front garden and parking area at No. 18.
11. The window towards the rear at No. 19 has limited light at present due to its proximity to the side boundary and flank wall of no. 18. The proposed increase in height of the flank wall would have some impact on the amount of light into this window towards the rear, although the asymmetrical roof and flat roof to the rear extension replacing the existing high pitched roof rear projection would to some extent mitigate this, and any sense of overbearing. I consider that the impact in terms of loss of light would be insufficient in this case to warrant a reason for refusal.

12. I conclude that the proposal would not harm the living conditions of the occupiers of No. 19 and that, in this respect, it is consistent with local plan policies CP9, DM35 and DM36.

Biodiversity

13. The property is located near a woodland area which may be a habitat for bats. I understand that the age of the property is such that it may be used by bats. In these circumstances local plan policy DM34 requires development proposals to be accompanied by relevant reports to establish whether there is evidence of the presence of a protected species and what measures should be undertaken to mitigate any adverse impact. The Council recommended that a Preliminary Roost Assessment (PRA) be carried out when a previous scheme for this site was under consideration. The appellant has not submitted any such Assessment and I am unable to make a satisfactory judgement as to the potential impact of the proposal on a protected species. In accordance with Circular 6/2005 *Biodiversity and Geological Conservation* I consider that this matter should be addressed before a decision is made and that it is not appropriate to attach a condition to a decision in this case.
14. I conclude that the proposal would not make adequate provision to protect biodiversity and that, in this respect, it is contrary to local plan policy DM34.

Conclusions

15. I have found that the proposal would not harm the character and appearance of the area or the living conditions of neighbouring residents. However, in the absence of a PRA I am not satisfied that bats are not present at the site and that there would be appropriate mitigation measures in place to protect any that are and this outweighs my findings on the other main issues.
16. On balance, therefore, and for the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR