



Appeal Decision

Site visit made on 2 April 2025

by **Michael Evans BA MA MPhil DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 April 2025

Appeal Ref: APP/X0415/D/25/3359710

15 Russell Close, Amersham HP6 6RE

- 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 and Mrs Helen Solomon against the decision of Buckinghamshire Council.
 - The application Ref is PL/24/1847/FA.
 - The development proposed is a single storey rear extension and loft conversion with dormer roof extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect on the character and appearance of the host dwelling and locality.
 - The effect on the living conditions of the occupiers of the adjacent dwellings at 79 and 81 Elizabeth Avenue, with regard to privacy.

Reasons

3. The appeal concerns a detached bungalow located within a row of similar properties. The proposed rear dormer extension would be set up noticeably from the eaves. However, the flat roof addition would span virtually the full width of the roof with only fairly minimal space to the sides and the ridge of the main pitched roof. Due to these factors, it would be an overly wide box-like feature with an undue horizontal emphasis. In consequence, it would be unacceptably dominant, overwhelming the pitched roof character of the original dwelling, even if the pattern of fenestration was considered appropriate.
4. The Appellant refers to a number of cases where the Council has permitted development that includes flat roof rear dormer additions, with reports and extracts of drawings provided. An appeal decision has also been submitted. Nevertheless, the rear roof extension at Linfields was said by the Inspector to comprise permitted development. That would not be the case in this instance as the Council points out that permitted development rights for roof additions were withdrawn by condition when permission was granted for the bungalows on the side of the street where no 15 is located.

5. In some of the decisions reference is made to comparable development nearby. However, in this instance the Council point out that there are no other similar dormers in the side of Russell Close that includes the appeal site and this has not been disputed. The addition would be a particularly unusual feature in this context with its incongruous presence being readily apparent from gardens in the vicinity.
6. In two other cases there are fairly large two storey rear projections that would significantly break up the bulk and mass of the dormer addition by projecting through a significant part of its face. In this instance the single storey rear extension would only relatively modestly project above the base of the roof addition. In consequence of all the above factors, these cases can be distinguished from the current proposal and therefore lend no meaningful support to this appeal.
7. The Council has raised no objections to the single storey rear extension or rooflights and I see no reason to take a different view. The site is not in a Conservation Area and the proposal does not concern any Listed Buildings. The materials used in the roof extension would match those of the existing building. There would also be gaps to the dwellings to each side.
8. However, despite these matters, the proposal would comprise an unsympathetic and incongruous form of development both in relation to the existing and adjacent buildings. As a result, the character and appearance of the host dwelling and locality would be harmed. It is acknowledged that the extension would not be readily seen from the street. However, any suggestion that acceptability should be conferred on this basis seems to me to implicitly acknowledge the inappropriate nature of the roof extension.
9. In these circumstances there would be conflict with Policies GC1, H13, H15 and H18 of the Chiltern Local Plan (LP) 1997 and Policy CS20 of the Core Strategy for Chiltern District 2011. Among other things and taken together, these indicate that development should be designed to a high standard and be in keeping with and reflect the form of the existing dwelling and others in the adjoining area, while flat roof dormer additions that are excessively large in terms of width or height will be refused.
10. There would also be conflict with the advice in the Residential Extensions and Householder Development Supplementary Planning Document, 2013, where it is indicated that large flat roof dormer windows are not encouraged because they often result in a window which appears bulky and overly dominating in a roof slope. It goes on to suggest that flat roofs on dormer additions may only be appropriate on rear roof slopes which are not readily visible to the surrounding area. However, given the circumstances described above and excessive bulk and width of the addition, the position of the extension should not confer acceptability in this instance.
11. In the National Planning Policy Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include adding to the overall quality of the area and being visually attractive, which would not be satisfied in this instance.
12. The dormer addition would introduce first floor windows facing towards the rear of dwellings in Elizabeth Avenue. Although that of the host dwelling is relatively modest at about 9m, the depth of the gardens at the properties to the rear are

significantly greater. Because of this and despite the elevated position of the new windows there would be no unacceptable overlooking in this direction. Because the windows would face directly down the back garden at the appeal site and be set in from the sides of the host dwelling there would be no undue overlooking of the adjacent properties in Russell Close either.

13. For these reasons, it is concluded that there would be no significant loss of privacy and the living conditions of the occupiers of the adjacent dwellings would not be harmed. As a result, there would be no conflict with LP Policies GC3, H13 and H14 in relation to this matter.
14. In this instance the improved living conditions of the occupiers of the host dwelling would be achieved at the unacceptable expense of the quality of the built environment. The absence of harm in relation to living conditions is a neutral matter that weighs neither for nor against the development.
15. Because of the harm that would arise in relation to character and appearance and taking account of all other matters raised, it is determined that the appeal fails.

M Evans

INSPECTOR