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## Appeal Decision

Site visit made on 9 October 2025

by **A J Sutton BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

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**Appeal Ref: APP/X0415/D/25/3358478**

**Mayhill, 30 Upper Hollis, Great Missenden, Buckinghamshire HP16 9HP**

- 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 Alabaster against the decision of Buckinghamshire Council.
  - The application Ref is PL/24/2985/FA.
  - The development proposed is described as 'First floor side extension over approved single storey side extension. New canopy over Front Entrance door.'
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### Decision

1. The appeal is dismissed.

### Procedural Matters and Main Issue

2. Works had commenced on the ground floor side extension at the time of the site visit.
3. A Preliminary Roost Assessment report was submitted with this appeal, and this evidence was not part of the application on which the Council based its original decision. The Council's comments on this report was sought in the interest of procedural fairness. These comments have been considered in this appeal decision.
4. The main issue in this case is the effect of the proposal on protected species in the area.

### Reasons

5. The appeal property is a detached dwelling in a good size plot in a residential development of similarly spacious properties. The proposal would extend the dwelling to form an upper floor to the already permitted side extension.
6. Unlike the permitted single storey extension, this proposal involves significant changes to the main roof of the existing dwelling. Moreover, while the dwelling is surrounded by other residential units, this is a small estate at the edge of a settlement, and the property is close to woodland and trees that fringe nearby fields. Also, as an established estate, there are several mature trees in gardens of the dwellings near the appeal property. With these features, according to Natural England's national standing advice on this matter, there are likely habitats for protected species in the vicinity of the appeal property.
7. The Conservation of Habitats and Species Regulations 2017 require a competent authority to have regard to the requirements of the associated Directive so far as it

may be affected by the exercise of its functions. This is relevant where any proposal that might lead to the deterioration or destruction of breeding sites and resting places of European Protected Species, which include bats and the places they roost.

8. The Preliminary Roost Assessment (PRA) was carried out by a suitably qualified ecologist and is stated as being conducted in accordance with the Bat Conservation Trust' guidance, a matter which the Council has commented on. However, the main parties have not submitted a copy of that guidance in this appeal process.
9. That aside, the PRA does not make reference to records of bats in this immediate vicinity, but as Natural England's Bats: Advice for Making Planning Decisions cautions, an absence of a record does not mean that there are no bats.
10. The PRA concludes that no evidence of bats was found during this survey and that there is no access point in the roof void of the property. However, a gap in the soffit box is noted, along with a few lifted roof tiles. These are small features, but again, national guidance identifies uneven roof tiles, cracks, crevices and small openings in buildings, close to habitats that could be important for commuting and foraging, as having potential to support bat roosts.
11. A bat emergence survey has not been provided in support of the proposal, and in light of the factors above, there appears insufficient evidence to draw the conclusions that there is no significant likelihood of the existing roof of the appeal property being used by bats for roosting.
12. The appellant states that the Council did not highlight this matter during the validation stage or through the application process. That matter is outside the scope of this decision. This aside, the proposed scheme is relatively modest, but it would nonetheless affect the roof of the dwelling significantly and the officer's report indicated the need for surveys, and this was reflected in the Council's reasons for refusing planning permission. Moreover, national guidance is clear that the presence or otherwise of protected species, and the extent that they may be affected by a proposed development, should be established before the planning permission is granted.
13. With the limited information provided, I am unable to establish whether protected species may be present, and if they are, the extent to which they may be affected by this proposal. While the appellant is content to address this matter by condition, national guidance states that planning conditions requiring relevant ecological surveys to establish, amongst other matters, whether species are present, should only be imposed in exceptional circumstances. No compelling evidence has been advanced that exceptional circumstances exist in this case.
14. In light of the above, I find that there is insufficient information to establish the effect of the proposal on protected species in the area. In this regards the proposal fails to accord with Policy NC1 of the Chiltern District Local Plan and Policy CS24 of the Local Development Framework Core Strategy for Chiltern District. These Policies collectively, amongst other things, seek to protect legally protected species.

## Other Matters

15. Highway safety and parking matters have not been raised as a concern by the Council, but this should be an expectation of all development. It is highlighted that the officer stated verbally that there would unlikely be any issues with the proposal. Be this as it may, the Council is not bound by comments made prior to its decision.
16. The proposed extension is relatively modest, but the scheme would result in a sizeable built form at the site. That said, the property is in a small estate of sizeable, detached dwellings, generally of a traditional style such that this addition would not appear at odds with the prevailing character. The extension would be built close to the boundary of the plot, and it is asserted that this would not be in keeping with other properties. However, the estate has an irregular layout, and this uncommon feature could be readily assimilated without disrupting the existing rhythm of built form in this setting. For these reasons I agree with the Council this proposal would not be harmful to the character of the area.
17. As already mentioned, the proposed extension would be close to the shared boundary with No 7. However, the addition would be mainly limited to the upper level over a ground floor extension which has already been permitted close to this boundary.
18. Windows, on the side of this new upper floor, would serve bathrooms and therefore would have obscured glazing and this would limit opportunity to overlook neighbouring properties from this aspect. There would be large windows at the ground floor side elevation. However, the existing plan shows that there is already openings on this part of the property. Moreover, there is mature vegetation at this shared boundary and even with some gaps I saw that this provides significant screening between the appeal property and the gardens of Nos 7 and 9.
19. Also, Nos 7 and 9 have good sized, south facing rear gardens that provide a generous amount of separation between the side of the appeal dwelling and the rear of those neighbouring dwellings. With these factors the proposed modest addition would not appear overbearing to residents of these neighbouring dwellings. Nor would it harmfully alter the existing level of privacy and daylight that neighbouring residents currently enjoy in their rear gardens and when in the rooms at the rear of their properties.
20. In light of the above circumstances, I agree with the Council's conclusion on these issues. However, this does not address the insufficient information in respect of protected species and the conflict with national and local policy relevant to that matter.

## Conclusion

21. For the reasons stated above and having regard to the development plan, and material considerations the appeal should be dismissed.

*A J Sutton*

INSPECTOR