



Appeal Decision

Site visit made on 6 June 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2023

Appeal Ref: APP/L2250/D/22/3303379

The Willows, Church Road, Lyminge, Kent CT18 8HZ

- 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 Christina and Simon Burchell against the decision of Folkestone and Hythe District Council.
 - The application Ref 22/0813/FH, dated 17 May 2022, was refused by notice dated 11 July 2022.
 - The development proposed is loft conversion with rear dormer and front roof windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed rear dormer on the character and appearance of the host property and the area, having particular regard to the Kent Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal property is a 2 storey semi-detached dwelling, which has single-storey side and rear projections. It has a pitched roof, with a gable end and is modern in character. The adjoining property has a 2 storey rear projection, with a rear gable, which has a lower ridge height than the main part of the property. The existing dwelling is set back in its plot, but its front and side elevations are clearly visible from the road to the front.
4. The site lies within the AONB. This part of the AONB is characterised by small villages nestled within a rolling landscape. There are a variety of house types and designs on Church Road, ranging from modern to historic. Although I noted the presence of smaller dormers on nearby properties, large flat roof dormers are not characteristic of the locality. The simplistic form of the appeal property, including its roofscape makes a positive contribution to the character and appearance of the area and the AONB.
5. Whilst the dormer would be set down from the existing ridge, the proposal would extend across much of the rear roof slope and would be close to the eaves. The proposal would have a flat roof and bulky appearance that would result in a top heavy addition to the roof, which would appear out of proportion with the existing roof. The submitted plans indicate that the proposed dormer would be clad with shiplap UPVC cladding or similar, which would be out of

keeping with the materials used on the host property, which is constructed of brick.

6. Glimpses of the proposed dormer would be visible between buildings on Church Road and Canterbury Road. The proposal would be highly prominent from the unmade track to the rear of the property, which provides access to dwellings and garages. From this track there would be direct views of the proposed dormer. To the rear of the site there is also a pedestrian route leading to the recreation ground and school that appears to be well used. Views of the proposed dormer would also be visible from this pedestrian route along the unmade track. Consequently, the proposal would be highly visible from the public realm.
7. The proposed dormer would appear unduly prominent on the rear roof slope and would appear at odds with the well-proportioned and simplistic roof form of the host dwelling. As a result, the proposal would result in harm to the character and appearance of the host property and the area. Whilst the harm that would arise to the character and appearance of the area would be localised, the proposal would fail to conserve the landscape and scenic beauty of the AONB. In accordance with the National Planning Policy Framework (the Framework), I am required to give great weight to conserving and enhancing the landscape and scenic beauty of the AONB.
8. Although the adjoining property has a large 2 storey rear projection, this projection has a pitched roof and gable end, which is more characteristic of the area. The projection is also constructed of similar materials to the main part of the dwelling and does not overly dominate the rear roof slope.
9. The Council raise no objections to the rooflights proposed on the front roof slope. Based on the information before me and my site visit, I have no reason to reach a contrary conclusion on this part of the scheme.
10. For the reasons given above, I conclude that the proposed dormer would be harmful to the character and appearance of the host property and the area, including the AONB. The proposal would conflict with Policies HB1, HB8 and NE3 of the Local Plan, which amongst other matters, require that development makes a positive contribution to its location and surroundings; that dormer extensions are in proportion to the existing roof, avoiding a top-heavy and flat-roofed appearance; the natural beauty and locally distinctive features of the AONB are conserved and enhanced; and, the design, scale and materials of new development is appropriate to the AONB.

Other Matters

11. I acknowledge that no objections were received on the proposal from Lyminge Parish Council or neighbouring residents. However, this does not alter my findings.
12. Whilst the proposal is similar in design to that shown on the Planning Portal in relation to permitted development, as the site is located within the AONB, planning permission is required for the proposed development. It is therefore necessary for me to have regard to the development plan and any material considerations for such development when determining the appeal.
13. I cannot ascertain whether the Council visited the rear of the property before making their decision. Nevertheless, the rear roof slope is clearly visible from

the public realm. I visited the site and surrounding area and concur with the findings of the Council.

Conclusion

14. For the reasons set out above, the proposal would conflict with the development plan, when taken as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

A James

INSPECTOR