



Appeal Decision

Site visit made on 6 June 2025

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

Appeal Reference: APP/E2530/D/25/3364327

'Roche D'Or', Water Lane, Castle Bytham, Lincolnshire NG33 4RT

- 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. P. Wallis against the decision of South Kesteven District Council.
 - The application reference is S24/1939.
 - The development proposed is described in the application form as follows: *"Addition of blind dormer window on East facing roof. Window to be completed in character with the house and surrounding area"*.
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by intrusion on privacy).

Reasons

3. Castle Bytham is a very attractive village in the Lincolnshire countryside. A large and ancient castle mound is located on the east of the main part of the village but the village itself is predominantly characterised by residential buildings that have developed along the High Street and on the slopes beneath the historic church. Development has also built up along Water Lane, at the foot of the main slope, and further north along Glen Road. The buildings are irregularly laid out and are typified by stone or brickwork construction, with steeply pitched roofs.
4. The historic part of the village is contained within the Castle Bytham Conservation Area, together with some areas of open land that contribute to the setting of the village.
5. The appeal site is located off a shared drive on the north side of Water Lane, while a small stream runs alongside the Lane on its south side, into a village pond opposite the castle mound.
6. The existing dwelling at 'Roche D'Or' is faced in a stonework finish under a tiled roof. It has the form of a single-storey building with an additional habitable space in an attic bedroom at first floor level and architecturally, the building is in keeping with

the general character of other buildings in the Conservation Area. It stands on a sloping plot, with its main private garden area at a lower level on the south side of the building, nearer to Water Lane. There is only a narrow strip of land between the rear elevation of the building and its rear boundary, however, with the rear gardens of neighbouring dwellings beyond.

7. It is now proposed to add to the east facing (rear) roof slope of 'Roche D'Or' by the construction of a flat-roofed "blind dormer window", to light the attic bedroom.
8. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect a conservation area. In such cases, decision makers are required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
9. Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving or enhancing the historic environment, though it also points out the desirability of putting a heritage asset to its "optimum viable use" as does the 'Planning Practice Guidance'.
10. The 'National Planning Policy Framework' also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally and the achievement of good design includes protecting existing residential amenities and providing good standards of accommodation in new development.
11. An emphasis on the importance of protecting heritage assets and of encouraging good design more generally is also to be found in the Development Plan. In particular, Policies DE1 and SD1 of the 'South Kesteven Local Plan 2011-2036' (dated January 2020) focus on the aim of achieving good design and promoting sustainable development, including the need to protect and enhance heritage assets.
12. The Council's 'Design Guidelines for Rutland & South Kesteven' document is also relevant but it does not have the force of the statutory Development Plan.
13. The proposed dormer would provide increased headroom in the existing attic bedroom, by the creation of a flat-roofed "box dormer" construction, added to the existing rear roof slope. The new flat-roofed structure would be alien to the traditional forms that clearly predominate within the village, however, and this form of construction would not make use of traditional materials. It would amount to a clumsy and unattractive addition to the building.
14. The new element would be visible from nearby properties, although glimpses of it from public viewpoints would be very limited. I accept that it could be visible from points of the footpath that leads eastwards out of the village, past the castle mound, but the distances involved are such that the dormer would be difficult to distinguish from such viewpoints. Nevertheless, I do not share the view of the conservation officer in this case. I am convinced that the construction would be so clearly out of character with the historic setting that it could not be said to preserve or enhance either the character or the appearance of the Conservation Area.

15. The application drawings show a window on the east facing elevation of the proposed dormer that, if it were to be clear glazed, would directly overlook the private garden space of number 12 Water Lane and would also intrude on others' privacy. It is submitted that the new dormer would be "blind" and I accept that conditions could be imposed to prevent direct overlooking, including by requiring the window to be glazed with obscured glass. Even so, it would be difficult to avoid a strong perception of overlooking in the neighbouring garden.
16. The proposed development would make a very modest addition to the existing house and the benefit to future residents (who may be elderly) would be limited, although it would provide additional headroom in the bedroom. I am convinced that the harm that would be done to the character and appearance of the Castle Bytham Conservation Area and to neighbours' amenities outweighs the benefits of the project. It may be that a different and more imaginative architectural solution could be devised that would overcome the objections that I have identified, but I must consider the proposals as they come before me.
17. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR