



Appeal Decision

Site visit made on 21 August 2025

by **Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/D3125/D/25/3370522

1 Sycamore Close, Witney, Oxfordshire, OX28 1GP

- 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 Mr & Mrs Dan Morgan against the decision of West Oxfordshire District Council.
 - The application reference is 25/00680/HHD.
 - The development proposed is erection of a dormer.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.

Main Issue

3. The main issue is the impact of the proposal upon the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal site is a two-storey detached dwelling which is located within a residential area in Witney. The proposal seeks planning permission for the erection of a box dormer in the northeast elevation of the host dwelling – the proposal would be located within the residential curtilage of the host dwelling, and I acknowledge that the principle of development is considered acceptable subject to design and amenity issues. The Council find no issue with the proposal with regard to neighbouring amenity, and I have no reason to conclude differently on this element based upon the evidence before me and my site visit. The refusal reason is, therefore, essentially based upon siting and design.
5. The proposed box dormer would convert the loft into living space, and the plans also show the installation of rooflights to the other roof slope. I do not find that the installation of roof lights would have a negative impact on the character and appearance of the host dwelling or the surrounding area with examples of such features being characteristic for the immediate locality. The appeal site is not within a Conservation Area, National Landscape or the Green Belt nor is the dwelling itself a heritage asset/listed building.
6. I note the appellant has made reference to application reference 16/02993/HHD (7 Sycamore Close), however, the proposal was for a two-storey side extension, and I

do not find the implications of a two-storey side extension to be comparable or have weight in the context of the consideration of a box dormer which I have found to be uncharacteristic. Furthermore, the appellant is noted to agree that there are no similar developments within the immediate vicinity. Other examples including 21/01527/HHD (70 Woodstock Road), 19/03184/HHD (37a Woodstock Road) and 08/1001/P/FP (14 New Yatt Road) are referred to by the appellant in terms of their allowance of extension/alteration to the dwellings in question, but I do not find that they support or justify the proposal that is before me.

7. The appellant also provides, as figure 1, what is assumed to be a flat roof extension/dormer at 1 Elmfield Cottage, however, no further evidence or supporting information is provided with regard to that example in terms of the context of the appeal site or the planning permission granted for the example outlined. The potential for alteration and extension of dwellings within the locality is acknowledged, however, this does come down to the acceptability of the proposals on a case-by-case basis with regard to the character of the host dwelling itself as well as the surrounding area.
8. The proposed box dormer would span almost the entire width of the roof (in the region of 8.6 metres). At the time of my site visit I noted some examples of smaller dormer features within properties within the vicinity of the appeal site, however, I did not find that box dormers/flat roofed features of this nature are characteristic which combined with the choice of materials, and its scale, design and form would mean that the proposal would not reflect the character of the host dwelling nor the surrounding street scene. I do not find that the placement on the side elevation significantly reduces the proposals' visibility from the public realm. I do not find that the proposal would be of limited visibility nor that the placement would be discreet meaning that the presence within the street scene would be minimal.
9. Whilst the area is noted to comprise a mix of detached and semidetached properties, with some variation in architectural style, it is notable that there are no features of the nature which is before me within the vicinity of the appeal site which means that, aside from materials, I find the proposal would be uncharacteristic even with some variation in general architectural style and design of dwellings within the surrounding area. Most notably the roof slopes are unaltered in terms of the presence of box/dormer features, of this scale, within the surrounding area – the proposal would therefore be uncharacteristic for the area.
10. The proposal would utilise black composite cladding, a flat roof and UPVC casement windows. The northeast elevation is noted to face towards the neighbouring property, as a side elevation, but the appeal site is located within a visually prominent location insofar as it is visible within views along both New Yatt Road as well as, from the rear, from Sycamore Close itself. I find the proposal would be visually prominent due to the clear views in and around the roof slope in question, and host dwelling, from the surrounding area.
11. Whilst it is outlined that the proposal has been designed to allow the current occupiers to appropriately extend their dwelling and I acknowledge the proposal would have no negative impact on the appeal site neighbours, this does not overcome the issue I have found with the proposal being out of character for the reasons outlined in terms of design, scale and massing. Whilst I note that more modern materials can, in some cases, be utilised within such proposals in this case

I find that the utilisation of the proposed materials would contribute to the inappropriateness of the proposal.

12. I have considered the imposition of conditions to secure alternative, more appropriate, materials to perhaps match the existing dwelling but I do not find that this would overcome the box dormer itself being an incongruous and alien feature which would be highly visible within the surrounding street scene. The scale of the proposed box dormer would compromise the existing, simple and consistent character of the host dwelling which is in keeping with the immediate surroundings which would result in a proposal which would be visually harmful in a prominent position adjacent to a busy main road. Visibility itself does not automatically equate to harm but, in this case, visibility and prominence of an uncharacteristic feature for the area does cause harm sufficient to warrant refusal.
13. It is not my role, dealing solely with an application for planning permission, to determine whether a use or operation is lawful in order to decide whether the appellant might be able to rely on permitted development rights as a fallback. Despite this I acknowledge that the host dwelling may be able to construct a dormer, utilising permitted development rights, but the current proposal as submitted requires planning permission as acknowledged by the appellant. Even if the appellant could construct a dormer as a fallback position, I find that the harm identified based on the proposal as is before me would likely be greater. I place limited weight a fallback position as I do not find that the reason for refusal appears to largely hinge on matters of detail and material finish – I find that the fundamental planning harm arises from the siting and scale of the addition and what would result in a highly visible, uncharacteristic, proposal within the street scene as outlined.
14. The proposal would be contrary to West Oxfordshire Local Plan 2031 (adopted September 2018) (LP) Policy OS2 which, in terms of general principles, requires that development should be of a proportionate and appropriate scale to its context, form a logical complement to the character of the area and conserve and enhance the built environment. The proposal would also be contrary to LP Policy OS4 which requires that development respects the architectural character of the locality and LP Policy H6 which requires new development to respect the existing character of the area. The proposal would also be contrary to paragraph 135 of the National Planning Policy Framework 2024 (the Framework) which requires that developments will function well and add to the overall quality of the area as well as being sympathetic to local character. I do not find a box dormer to be innovative in design terms.
15. The proposal would also be contrary to the West Oxfordshire Design Guide 2016 with regard to the advice outlined in Design Guide 10 (Windows and Doors) and Design Guide 14 (Extensions and Alterations) with particular regard to the character of a given property deriving from a number of factors including architectural design and materials. Extensions or alterations that are likely to significantly alter the form or character of the original property are unlikely to be supported.

Other Matters

16. Whilst there is a presumption in favour of sustainable development at the heart of the planning system, and the Framework is a material consideration, it does not change the starting point for determination being the Local Plan. The development

costs associated with a development of this nature would result in benefits that would be short term and at best limited given the scale of the proposal. The proposal would contribute to the social objective of sustainable development; however, I find the proposal would fail with regard to the environmental objective due to the issue I have found with regard to the character and appearance of the host dwelling and surrounding area as outlined. Good design is a key component of sustainable development.

Conclusion

17. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR