
Appeal Decision

Site visit made on 15 October 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 October 2025

Appeal Ref: APP/D3125/W/25/3360373

The Old Surgery, The Sands, Milton Under Wychwood OX7 6ER

- 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 Mrs Jane Potter against the decision of West Oxfordshire District Council.
 - The application Ref is 24/02203/FUL.
 - The development proposed is 'conversion and extension of existing garage building to a single detached dwelling.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises a roughly triangular plot which includes a single storey outbuilding with a pitched roof and a lean-to extension. The plot was formerly associated with the adjacent Old Surgery, which is evidently now a 1-bedroom dwelling. I understand that the two sites were severed some time ago, with the appeal building last in use as storage by a local builder. The proposal seeks to convert and extend the appeal building to form a 1-bedroom dwelling and create external amenity space with off-street parking.
4. On my site visit, I observed that there was little in the way of continuity of built form or regular patterns of development in the local area. However, along The Sands, Ansell Way and Fettiplace properties have a generally consistent setback from those respective roads creating tangible building lines with front gardens, grass verges and trees establishing a somewhat open and verdant local character.
5. The proposed dwelling would be positioned on the north boundary of the plot while also being positioned in close proximity to The Old Surgery. This would create a cramped appearance which would be compounded by the awkward shape of the site, with the resulting small garden area and off-street parking resulting in a contrived and incongruous form of development uncharacteristic of the area.
6. I observed the properties located along The Square, a narrow lane which runs between The Sands and Shipton Road, which includes a variety of built form some of which is also positioned tight to the track. Be that as it may, many of the houses

also had setbacks from the lane and included larger garden areas. As such this does not persuade me the proposal would not be harmful.

7. Based on the foregoing, the proposal would harm the character and appearance of the area. This would conflict with policies OS2, OS4, and H2 of the West Oxfordshire Local Plan 2031 (adopted September 2018) which seek, among other things, to ensure new development should respect the historic, architectural and landscape character of the locality, contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings.
8. The proposal would also be contrary to paragraph 135 of the National Planning Policy Framework (the Framework) which advises that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

Planning Balance

9. The main parties agree that the Council cannot currently demonstrate a 5-year supply of deliverable housing land. As such, I am taken to paragraph 11(d) of the Framework, which advises that in this scenario, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for securing well-designed places among other things.
10. The proposal would provide 1-dwelling to the Council's current undersupply in a location deemed in accordance with the spatial distribution aims for housing in the development plan. While every house matters, the weight I assign in favour of the scheme is invariably limited. There would be further limited benefits in the construction phase, although given the size of the scheme this would also mean that any jobs created would be fleeting. The proposal would re-use an existing building which would bring forth some limited environmental benefits while local services and facilities may also see a small increase in use due to new residents.
11. However, the proposal would harm the character and appearance of the area which weighs against the proposal considerably. Footnote 9 of paragraph 11 highlights the regard to be had to policies in the Framework which relate to well-designed places, including paragraphs 135 and 139. Consequently, in this case, based on the evidence before me, the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

12. The proposal would harm the character and appearance of the area. As such it would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR