



Appeal Decision

Site visit made on 8 May 2024

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th May 2024

Appeal Ref: APP/T2215/W/23/3334744

41 Ash Road, Dartford, Kent DA1 2RL

- 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 Psychcare Online against the decision of Dartford Borough Council.
 - The application Ref is DA/23/00233/FUL.
 - The development proposed is described as erection of an attached two-bedroom house with associated parking.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Dartford Borough Council adopted The Dartford Plan (DP) in April 2024 after its refusal of planning permission. The DP replaces the Adopted Dartford Core Strategy 2011 and the Adopted Dartford Development Policies Plan 2017. In these circumstances, I am required to determine the appeal against the current development plan for the area at the time of my Decision. The appellant and Council were invited to make comments on the relevant policies of the DP policies, and I have taken these comments into account in reaching my decision.
3. Since the submission of the appeal a revised National Planning Policy Framework (the Framework) was published in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

4. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the area;
 - ii) the effect of the proposed parking provision on highway safety; and
 - iii) whether a satisfactory standard of accommodation would be provided for future occupants, with particular regard to external amenity space.

Reasons

Character and appearance

5. The appeal site is located within a predominantly residential area and comprises the side garden of the existing property at No 41 Ash Road, a two-storey semi-detached dwelling. The site forms a corner plot at the junction of Elm Road and Ash Road. Dwellings which occupy corner plot locations have generally retained their more generous plot sizes and are set back from the highway, providing a spacious and open feel which contributes positively to the area.
6. The appeal proposal seeks the erection of a two-storey dwelling, which would be attached to the southern wall of the existing dwelling. The proposed dwelling would incorporate a gable end fronting Ash Road; its eaves and ridgeline exceeding the existing roof profile. The proposal would extend towards the southern boundary bringing built development close to the side boundary. This would extend beyond the prevailing building line along Elm Road and would be prominent within the streetscene.
7. The plots lack of depth combined with the short distance between the proposed development and the southern site boundary would result in the development appearing cramped and uncomfortable causing harm to the character and appearance of the area.
8. Despite the sympathetic use of materials, the proposed dwelling would appear overly dominant within the streetscene causing harm to the character and appearance of the area. This impact would be further exacerbated by the site's exposed and prominent corner plot location.
9. The plans indicate a two-bedroom property which would contribute to the mix of housing types and sizes in accordance with the provisions of Policy M8 of the DP. There is no substantive evidence before me that the proposal would result in an unacceptable loss of residential garden land or diversity of housing in the Borough.
10. For the reasons outlined above, I therefore conclude that the proposed development would cause harm to the character and appearance of the area. The development would conflict with Policy M1 of the DP which seeks development to be suitable in terms of its height, mass, form, scale, orientation, siting, access, overlooking, overshadowing, articulation, detailing, roof form, and landscaping relative to neighbouring buildings and the wider locality. I find conflict with Policy M10 of the DP which seeks development to enhance the character, local environment and amenity of established residential areas, and achieve satisfactory quality of development where the historical pattern and form of development is preserved, and the design proposed is not visually obtrusive.

Parking provision

11. The appeal site is located within a residential area where not all properties within the locality have access to off-street parking provision. There are no parking restrictions along Ash Road in the vicinity of the site. Whilst only a snapshot in time, during a quieter part of the day, I observed during my site visit on-street parking on surrounding streets. The proposal includes the provision of 1no parking space to the front of the proposed dwelling, with the

existing parking to the rear removed to allow for the sub-division of the site and the creation of a rear garden for the proposed dwelling. In their delegated report the Council indicate that 4no parking spaces, to serve the two dwellings, would be required in accordance with the Parking Standards Supplementary Planning Document 2012 (SPD). The appellant has not disputed this.

12. While it may be possible to accommodate additional parking to the front of the existing dwelling, as the submitted plans do not demonstrate such provision, I cannot be sure the required parking could be accommodated. The proposed development would therefore be likely to result in a shortfall of off-street parking spaces, thereby increasing the demand for on-street parking within the locality.
13. Furthermore, given its likely positioning close to the junction of the two roads, it is not clear if the proposed access from the highway would provide safe and suitable access for future users.
14. For the reasons stated above, I cannot be satisfied that the proposal would not have a harmful effect on highway safety. As such I find conflict with Policies M2, M15 and M16 of the DP. Collectively, among others, these policies require developments to provide an appropriate access and vehicle parking provision, taking into account any existing provision as relevant to the development.

Living conditions

15. Dwellings in the locality have varying garden sizes. While the sub-division of the plot would reduce the garden size of the existing dwelling, a rear garden area would remain. Due to the site depth the length of each of the proposed rear gardens would be modest.
16. The Council have not quantified the amount of space they consider to be appropriate. However, having regard to the local plan policy, I am satisfied that the width, amount and shape of both proposed gardens would provide sufficient and high-quality amenity space to meet the health, recreation and functional needs of occupants and to contribute to good design and wellbeing.
17. Overall, the proposed development would provide an acceptable standard of accommodation for future occupants, with particular regard to outdoor space, in accordance with the relevant provisions of Policy M9 of the DP. This policy, in summary, seeks to secure appropriate standards of accommodation for future occupants, including in respect of outdoor space.

Other Matters

18. It is not disputed that the proposal would provide for satisfactory internal space standards in accordance with the National Described Space Standards. Based on the evidence before me I have no reason to reach a different view.
19. The site is located within an urban area and the principle of the development is not disputed. Owing to its design and orientation the proposal would not harm living conditions of the occupiers of adjacent existing dwellings with regards to overlooking or loss of light.
20. The Council has confirmed that it can demonstrate a 5-year housing land supply. This has not been disputed by the appellant. The proposed development would make a contribution of one additional dwelling to housing

supply and would make efficient use of a small windfall site. There would be some social and economic benefits of the proposed development, including in supporting employment during construction and the bringing of trade to nearby services and facilities upon completion. However, these benefits and the contribution to housing supply in the borough would inevitably be limited given the limited scale and nature of the development proposed. These matters do not, therefore, outweigh the harm that has been identified and do not lead me to an alternative conclusion. Accordingly, the proposal would conflict with Policy S5(2) of the DP and the Housing Windfall SPD 2014 which is supportive of windfall development in a number of circumstances where the benefits of the proposal outweigh disbenefits.

21. It is noted that other properties within the locality have benefited from two-storey side extensions. However, as extensions they are generally subordinate to the host property. The appellant has referred to other developments previously approved by the Council¹, which he considers are similar to the appeal proposal. In respect of the new dwellings, while I do not have the full details of these cases before me, from the information provided there appear to be differences between them and the appeal scheme including their siting, location and design. The example at No 34 Ash Road relates to the erection of a side extension to an existing dwelling that is more sympathetically designed and scaled and maintains a greater distance from the southern boundary. In any event, each case has to be assessed on its own merits. Accordingly, the presence of the approved schemes does not justify the harms which I have identified that the appeal proposal would cause.

Conclusion

22. The proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, which would indicate a decision other than in accordance with it.
23. The appeal is dismissed.

R Gee

INSPECTOR

¹ No 158 Beacon Drive, No 34 Ash Road, No 17 Mounts Road and No 32 Joyce Green Lane