



Appeal Decision

Site visit made on 19 September 2024

by D R McCreery MA BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2024

Appeal Ref: APP/T2215/W/24/3343867

18 Station Road, LONGFIELD, DA3 7QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mr A Patel (DCP Properties Limited) against the decision of Dartford Borough Council.
- The application Ref is DA/23/01402/OUT.
- The development proposed is demolition of existing mixed use building and erection of new 4 storey mixed use building with ground floor pharmacy with 12 residential dwellings above, parking, access, bins and cycle provision.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Outline planning permission is sought, with landscaping as a reserved matter. Submitted details of the reserved matter are treated as indicative.

Main Issues

3. The main issues are the effect of the proposal when regard is paid to:
 - the character and appearance of the area;
 - parking provision;
 - accordance with windfall policy in Policy S5 of the Dartford Plan.

Reasons

Character and appearance

4. The character of the area is a mix of commercial and residential uses. The commercial element associated with Longfield centre principally addresses Station Road, with a more residential character evident on Essex Road. As this is a corner site, the character of both roads is of

relevance to the appeal. Station Road slopes steeply to Longfield train station, creating a pleasant vista up the hill.

5. There are strong visual features of commercial properties along Station Road that reinforce the local topography and enhances the character of the area. This includes modest forecourts between the principal buildings and the pavement and a scale and orientation of buildings that creates a stepped appearance climbing the hill in an unregimented fashion. An important point of consistency is, however, pitched roofs with gables facing up and down the hill that creates a strong presence of eaves parallel to Station Road.
6. As it directly addresses Station Road the proposed building would introduce a more consistent front building line, with a modest forecourt. In layout terms this would be an improvement on the existing, where the front building line is fragmented and the L shaped configuration is an anomaly in the street scene that does not contribute significantly to local character.
7. In terms of scale and form, the proposal would have three principal storeys and a set back roof structure. The exposed position of this corner site would mean that the scale of the building and its roof would be highly visible and a significant feature in the local street scene. Although three main storeys are not incompatible with the area, the design approach of the proposal would create an excessively boxy development, with the bulk of the two main elevations highly prominent within the street scene.
8. Related to the bulk, the absence of a pitched roof is a significant weakness of the scheme. As it addresses Station Road, the lack of a strong eaves emphasis would fail to reinforce and contribute to the sense of distinctiveness evident in the topography. I acknowledge that the building that is currently on the site includes gables that directly address Station Road and breaks with the more widely seen spatial pattern of buildings. However, this does not justify a proposal that does not take the opportunity to improve the local street scene and, indeed, is worse by virtue of its scale and increased prominence.
9. There is little in the design approach employed that would successfully mitigate these issues, including the differentiation in facing materials and set back at roof level. Indeed, the large expanse of brickwork, especially on the Essex Road frontage, would contribute to the appearance of bulk. The overall result would be a development of poor design that is unbecoming of the local area.
10. In terms of the relationship with dwellings on Essex Road, some distinction between any proposal and these houses is to be expected. It would even be necessary in the interests of reinforcing the spatial transition between the Station and Essex Road character areas. For the reasons discussed above, the proposal would not be well designed and

would instead present a bulky and stark frontage to Essex Road. I do not have confidence that the design approach employed would be effective in managing the spatial transition between character areas.

11. I have noted the flat roofed development referred to by the Appellant on Ash Road. This building is within walking distance but is outside of the visual context of the site and this part of Station Road. The presence of this development is of limited relevance.
12. Although landscaping would be reserved, paying regard to the prevailing character of development in the area and layouts on neighbouring buildings, I do not find there to be an absence of space for landscaping. As such, there is a reasonable prospect that an acceptable landscaping scheme could come forward at the reserved matters stage. While this does not mitigate any of the issues identified above, there is no conflict with Policy M14 of the Dartford Plan.
13. The proposal would have a harmful effect on the character and appearance of the area. There is conflict with the development plan including Policy M1 of the Dartford Plan requiring good design for Dartford.

Highways

14. This is a sustainable location, with easy access to a train station and bus stops. There are a wide selection of local amenities that can be reached on foot or bicycle. I would not hesitate to describe the range of services available in the locality as comprehensive, even enviable.
15. The Dartford Borough Council Parking Standard SPD is of some age. Any consideration of local car ownership levels underpinning the standards in the SPD would have reflected the position at that time. I do not accept at face value that car parking levels are so inelastic to factors such as taste, behaviour and cost that a change in the intervening 12 years since production of the SPD can be ruled out as unlikely.
16. While Policy M16(5) of the Dartford Plan requires an appropriate level and form of vehicle parking that is in full accordance with the applicable parking standard, more recent examination of that policy does not of itself amount to full endorsement of the detail in the SPD. So, while it would be wrong to discount the standards in the SPD out of hand, neither are they infallible.
17. The Appellant's Transport Statement is reasonable and proportionate evidence of an argument in favour of the scheme providing less than what the SPD requires based on more up to date information. On this basis, I find the Appellant's standard of 0.7 spaces per flat and other details to be compelling. To my mind, there is a greater risk from application of the standard in this sustainable location producing a

parking led development that unintentionally encourages car ownership.

18. In reaching a view on this judgment, I have paid regard to public comments setting out perceived experiences of parking stress in the area.
19. The proposal is acceptable when regard is paid to local parking provision. Nevertheless, there is conflict with the requirements of Policy M16 of the Dartford Plan as the proposal would not fully accord with the SPD.

Windfall

20. The Council's second reason for refusal identifies conflict with Policy S5 of the Dartford Plan, with S5(2) being of particular relevance in light of the site being, on the basis of the evidence provided, at a location not covered in S5(1). The proposal is an unplanned windfall development that would not offend the criteria at 2(a-c). As such, it would not be in breach of the second limb of S5(2).
21. The first limb is positively worded to offer support for development in other locations where the benefits outweigh the disbenefits, including the sustainability of a site's location. To my mind, this part of Policy S5 is intended to act as a positive planning tool to allow for sustainably located development that offers net benefits as an exception, despite not falling within the strategic approach set out in S5(1).
22. In this case, paying regard to the proposal as a whole and the sustainability of the location, the result would not be a net benefit. As such, the positively worded potential support offered by the first limb of Policy S5(2) is simply not engaged or relevant in this case.
23. However, this is not the same as there being conflict with Policy S5(2), as the Council attempt to claim in their second reason for refusal. In doing so they use the policy mechanism as a blunt development management tool that runs counter to its purpose.
24. As such, while the proposal cannot be said to accord with windfall policy in the Dartford Plan, specifically Policy S5, neither is there conflict.

Other Matters

25. I have paid regard to all other comments made relating to the proposal, including those from members of the public. Where relevant to the main issues, they have been considered as part of my reasoning elsewhere in this decision. Other comments have not affected the outcome of the appeal.

Conclusion

26. The proposal would have a harmful effect on the character and appearance of the area. The failure to accord with parking standards generates development plan conflict, however the Appellant's evidence leads me to conclude that material considerations exist to justify not following the strict terms of Policy M16 of the Dartford Plan.
27. Nevertheless, the harm to the character and appearance of the area results in conflict with the development plan as a whole.
28. Making an effective use of land and housing delivery supports the aims of the National Planning Policy Framework (the Framework). This is the case even where the Council's housing supply/delivery position does not trigger consideration of the presumption at Paragraph 11. However, this does not come at any cost and must be balanced against other aims, including fostering well-designed places. No one aim should be pursued in isolation and reconciling any conflict in policy objectives pulling in different directions remains a matter of planning judgment. Taking the Framework as a whole, I do not find it provides a material consideration in favour of the proposal.
29. In the absence of any other material considerations, the development plan points towards dismissal of the appeal.
30. As such, and paying regard to all other matters raised, the appeal is dismissed.

D R McCreery

INSPECTOR