



Appeal Decision

Site visit made on 26 November 2024

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

an Inspector appointed by the Secretary of State

Decision date: 3 December 2024

Appeal Ref: APP/T2215/W/24/3342474

1 Lunedale Road, Dartford, Kent DA2 6LR

- 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 Khaled Khalil against the decision of Dartford Borough Council.
 - The application Ref is DA/23/01096/FUL.
 - The development proposed is described as converting the existing block into 2 dwellings by an additional side extension and garage conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted a new local plan in April 2024, after its refusal of planning permission. In these circumstances, I am required to determine the appeal against the current development plan for the area at the time of my Decision.

Main Issues

3. The main issues are:
 - i) the effect of the proposal on the character and appearance of the existing dwelling and the surrounding area;
 - ii) whether the proposal would provide a satisfactory standard of accommodation for future occupiers, with particular regard to external amenity space; and
 - iii) the effect of the development on parking.

Reasons

Character and appearance

4. The appeal property comprises a semi-detached single storey dwelling, located close to the junction of Lunedale Road with Gore Road. The existing property has been extended and includes a detached single garage located adjacent to the shared boundary with the neighbouring property at No 66 Gore Road. I observed a mix of house types in the locality, including two-storey semi-detached properties. Dwellings that occupy corner plot locations have generally retained their more generous plot sizes providing a spacious and open feel which contributes positively to the immediate locality.
5. The height of the extension would reflect that of the existing property and would be set slightly lower than the roof of the neighbouring garage. The proposed

extension would infill the existing open area between the dwelling and the detached garage, resulting in a disproportionately wide building. Consequently, the proposal would fail to be subservient to the original dwelling.

6. The building would be subdivided to create a separate dwelling. The width of the front elevation combined with the plots lack of depth would result in the development appearing cramped and uncomfortable, causing harm to the character and appearance of the area.
7. Despite the sympathetic use of materials given the site's prominent corner location the proposal would appear dominant in the streetscene causing harm to the character and appearance of the locality.
8. For the reasons stated, the proposal would have a materially harmful effect on the character and appearance of the existing dwelling and the surrounding area. Accordingly, conflict arises with policies S5, M1, M2, M9, M10, M15 and M16 of the Dartford Local Plan 2037 (DP). Collectively, amongst other things, these policies seek 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.
9. The Council have included policies S1, M15 and M16 of the DP in their reason for refusal. However, as these policies do not refer to character and appearance, they are not determinative to this main issue.

Living Conditions – external amenity space

10. 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.
11. Having regard to the local plan policy, I am satisfied that the amount, shape and orientation of both proposed gardens would provide sufficient amenity space to meet the health, recreation and functional needs of the occupants of both the existing and proposed dwelling and would contribute positively to wellbeing.
12. The appellant asserts that the proposal would not result in the loss of garden land as the appeal proposal would infill a vacant part of land in between existing built form to the site frontage. At the time of my site visit I observed the site frontage to be hardstanding. There is no substantive evidence before me that the proposal would result in an unacceptable loss of garden land to the site frontage.
13. On this matter, I conclude that 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 Policies M1, M2, M9 and M10 of the DP. Amongst other things, these policies seek to secure appropriate standards of accommodation for future occupants, including in respect of outdoor space.

Parking

14. The appeal property lies within a residential area where the majority of properties have some off-street parking. The frontage of the appeal site is laid to hardstanding with a dropped kerb. Whilst only a snapshot in time, during

my site visit undertaken on a weekday morning, I observed there to be a high level of on-street parking on surrounding roads.

15. The Council indicates that 3no, parking spaces, to serve the two properties, would be required. Although the proposal would remove the existing garage, there would still be space for the parking of up to 4no vehicles within the appeal site.
16. Consequently, I am satisfied that the proposal would not adversely affect parking provision and would not conflict with Policies M2, M15 and M16 of the DP in this regard. Collectively, amongst other things, these policies require development to provide an appropriate access and vehicle parking provision, taking into account any existing provision as relevant to the development.

Other Matters

17. The development would provide appropriate internal space standards, would not result in any harmful overlooking or loss of light. However, these are ordinary requirements for new development, and they do not represent a positive benefit that weighs in favour of the proposal.
18. The Council has confirmed that it can demonstrate a 5-year housing land supply. This has not been disputed by the appellant. As such the tilted balance as set out at Paragraph 11(d) of the Framework is not engaged.
19. The appellant asserts that none of the planning policies referred to by the Council set out a presumption against the development of windfall sites. This is subject to the proposal being acceptable in all other matters. The site is located within an urban area and the principle of the development is not disputed. The proposed development would make a contribution of one additional dwelling to housing supply and would make efficient use of a small windfall site. The proposal would deliver a dwelling that could be built-out quickly, add to the choice of homes and supporting the government's objective to boost the supply of housing.
20. 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 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.
21. My attention has been drawn to the planning history relating to the appeal site. I have not been provided with full details of the cases. Nonetheless I have reached my own findings based on the circumstances of the present case.

Conclusion

22. For the reasons given above, and having had regard to all other matters raised, the appeal is dismissed.

R. Gee

INSPECTOR