



Appeal Decision

Site visit made on 2 June 2025

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/T2215/D/25/3363364

233 High Road, Wilmington, Kent DA2 7BU

- 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 Ms P Hoadley against the decision of Dartford Borough Council.
 - The application Ref is DA/24/01335/FUL.
 - The development proposed is for an outbuilding annex.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the planning application, the subject of this appeal was determined, a new version of the National Planning Policy Framework (the 'Framework') has been published (12 December 2024) and consequently amended on 7 February 2025. There has been no material change to national planning policy in respect of householder appeals and therefore I consider that it was not necessary to refer back to the parties. I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of future occupants of the annex, with specific reference to outlook and natural light.

Reasons

4. The appeal site is situated within the settlement of Wilmington on a residential street comprising a mix of architecture and building forms. The host dwelling constitutes a modest semi-detached house located on land that is higher than the road, a close boarded fence currently runs between the front north western corner of the dwelling to the side boundary shared with 235 High Road, with the principal elevation of the annex building proposed in a similar position.
5. Views from High Road itself would predominantly be limited to the front elevation of the annex, a basic flat-roof design with a single window. However, the annex would be of a significant scale with a footprint far greater than the house that it would serve; therefore it would not be subordinate in form to it. The appeal site is on lower ground than no 235 to the west, and bearing in mind the low brick wall and high closeboarded fence above it that forms the boundary treatment along that side, in

reality little impact would be made upon the occupants of that neighbouring property. However, the proposed annex would be built tight up against this shared boundary and the room identified as bedroom no1 would have an extremely limited outlook with no meaningful space between it and the boundary.

6. It may well be that the lounge area would provide primary living space, but nonetheless any future occupants of the annex would be entitled to an appropriate level of outlook particularly for periods of convalescence, or indeed if they were bedridden. I am not convinced that the internal window within the proposed hallway would provide an appropriate level of outlook or natural light either. I note the offer of the appellant for me to impose a pre-commencement condition requiring the creation of rooflights, however whilst they would most certainly improve the light received by the room, it would do very little for outlook, and I say this notwithstanding that the proposal does not seek planning permission for an independent residential unit. Consequently, outlook would be very poor and natural light received by that room also extremely limited.
7. The Council have cited a number of policies which they consider would be conflicted by the proposal. Policy M1 of the Dartford Local Plan to 2037 (DLP) requires that development must demonstrate, amongst other things, that it responds to, reinforces and enhances positive aspects of the locality and opportunities to create appropriately distinctive high quality and beautiful places should be taken. Section 2 of Policy M1 requires development to be suitable in terms of, amongst other things, mass, form, scale, siting relative to neighbouring buildings and the wider locality which I consider has not been demonstrated in this case.
8. By virtue of its overall footprint, the annex would be of a significant scale and the level of internal accommodation proposed would fail to render it as subservient to the host dwelling. Further, notwithstanding that ample residential amenity space would be maintained by the proposal, I also find that by virtue of the overall floor area, the proposal would run contrary to the prevailing pattern of development within the locality and consequently would also fall foul of the third section of DLP Policy M10 which for the extension of dwellings requires that the historical pattern and form of development is preserved.
9. Therefore, whilst the proposed annex would adhere to the recessed characteristics of the appeal site and retain the open aspect of the frontage, I find that by virtue of its excessive depth and overall volume it would introduce a visually obtrusive, prominent and poorly designed annex which would fail to harmonise with the modest scale of the host dwelling. Overall there is no justification for an annex of this size or its intended use for that matter. I do however acknowledge that DLP Policy M9 is not conflicted by the proposal per se as it relates to residential amenity space

Conclusion

11. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR