
Appeal Decision

Site visit made on 17 September 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/T2215/W/25/3364056

1 Orchard Lea, Westwood Road, Southfleet, Kent DA13 9LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr James Foley against the decision of Dartford Borough Council.
 - The application Ref. is DA/24/00982/FUL.
 - The development proposed is for a two-storey, 4 bedroom/6 person's new build residential house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal having regard to a) whether the site is a suitable location for housing; and b) the living conditions of future occupants in relation to external amenity space.

Reasons

Location

3. The appeal land relates to the side garden of a semi-detached house sited on Westwood Road at the junction with Station Road, Betsham Road and Park Corner Road. The surrounding area is broadly residential in nature.
4. Policy S1 Dartford Borough Council Local Plan 2024 (LP) supports growth in sustainable locations. It seeks to provide for development at sites with good access by public transport and walking or cycling to a range of local supporting services and infrastructure. Policy S5 (2) pertains to sites outside predominantly urban environs and states that “residential development will be supported where the benefits of the proposal outweigh the disbenefits, including the sustainability of the site’s location.”
5. With regard to walking to and from the site, the appellant avers that current guidance concerning maximum walking distances is old and more research is needed. However, even if I were to accept that there is some flexibility to the figures, to my mind there is still a need to examine the quality and usability of local routes. My attention is drawn to four schools in the area, a doctor's surgery in Bean Village, and various commercial, community, retail and leisure opportunities in the surrounds of Betsham village.

6. Whilst I acknowledge that it would be possible to walk or cycle to these locations, the journeys would only appear to be practical via local roads, which are predominantly country lanes that have no street lighting or pavements. I appreciate that there may be public footpaths from the peripherals of Betsham in the directions of Southfleet and Bean, but these tracks are across fields that have no pavement and no lighting. As such, the quality and usability of the routes is poor.
7. In relation to public transport, I am informed that there are bus stops near the appeal site that run to Southfleet and further afield. However, the bus services are limited; there are considerable waiting times between some services, and the absence of any evening and Sunday provision weighs against this mode of transport as a realistic and attractive alternative to private vehicles. Within this context, I do not consider that the closest services or facilities are within a distance of the site that makes them readily convenient by sustainable modes of transport for day-to-day purposes such as shopping and working.
8. Accessibility to services, facilities and employment from the site other than by car would therefore be minimal, and it is likely that those occupying the dwelling would rely heavily on the private car. Whilst I recognise that there is generally a greater reliance on the private car in rural areas, it remains the case that there would be a lack of sustainable transport choices available to enable future residents to conveniently access services and facilities. To my mind, this weighs against the development.
9. Paragraph 83 of the National Planning Policy Framework (the Framework) sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. However, the contribution one additional dwelling and its occupants would make to the vitality of the rural community would be small. Consequently, whilst the development would make a limited contribution to the local economy and social well-being of the area, these factors would not outweigh my concerns over the location of the proposal.
10. I therefore conclude that the proposal would not provide a suitable location for new housing. It would be contrary to the relevant provisions of Policies S1, S4, S5, M1 and M9 of the LP and the Housing Windfall Supplementary Planning Document (2014), which amongst other things seek to minimise the need to travel and require new development to be located where there are walking and cycling routes to nearby services, facilities and public transport. It would also be inconsistent with the Framework, which identifies that housing in rural areas should promote sustainable transport.

Living conditions

11. The layout plan shows that the new dwelling would be positioned relatively centrally within the proposed plot, with good space separation to the established properties to either side. However, the relationships between the south west and south east corners of the built form and the common boundaries with 1 Orchard Lea and Budleigh House respectively would be constrained.
12. To my mind, the close proximity between the new dwelling and the boundaries of the site is not representative of a carefully designed and well-integrated amenity area. Although the overall extent would exceed 100 square metres, the effect would be to split the garden into three limited spaces around the building, with this segmentation restricting layout and overall usability. Overall, this would result in an

oppressive environment and outlook for future occupants and have a significantly limiting effect on the function of the garden for family occupation.

13. With regard to privacy, I am satisfied that there is already a degree of mutual overlooking between the curtilages of houses in the locale, and future residents the appeal scheme would not endure material harm in this respect. However, this does not outweigh the detriment I have identified above.
14. The scheme would be deleterious to the living conditions of future occupants in relation to external amenity space. This would contravene Policies M1 and M9 of the LP, which require residential development to provide sufficient and high quality amenity space to meet the health, recreation and functional needs of occupants and to contribute to good design, well-being and wider environmental objectives.

Other Matters

15. I acknowledge that no objections have been raised on the grounds of character and appearance or from a number of statutory consultees, internal accommodation would exceed the Nationally Described Space Standards, the application is not retrospective, and parking provision is appropriate. Nevertheless, the development remains unacceptable for the reasons given previously.
16. My attention has been drawn to a previous appeal at the site that involved a similar proposal for a house (reference APP/T2215/W/23/3328770). Whilst the Council quotes from the decision, I have not been provided with full details of the scheme. I have therefore based my reasoning on the submitted plans and my observations on site.

Conclusion

17. Having regard to the above and all other matters raised, the appeal is dismissed.

C Hall

INSPECTOR