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## Appeal Decision

Site visit made on 11 November 2025

by **SJ Desai BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

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**Appeal Ref: APP/T2215/D/25/3372672**  
**62 Hallford Way, Dartford, Kent DA1 3AE**

- 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 Y Namoa against the decision of Dartford Borough Council.
  - The application Ref is DA/25/00491/FUL.
  - The development is proposed single storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of 64 Hallford Way (No.64), with particular regard to a sense of enclosure and overshadowing.

### Reasons

3. The appeal relates to a two-storey mid terrace dwelling located within a predominantly residential area. The dwelling has an existing part two-storey, part-single storey rear projection. A brick wall surmounted by timber fencing runs along the sides of the rear garden boundary, reaching a total height greater than 2 metres on parts of the eastern boundary.
4. Relatively modest rear extensions or projections are a common feature within the surrounding terrace, including at the adjoining property, 60 Hallford Way. However, the other attached dwelling to the east, No. 64, retains its original rear elevation and has not been extended.
5. Policy M10 of the Dartford Local Plan to 2037 (2024) (DLP) advises that extensions to the rear of terraced properties should generally not exceed 3.5m in depth unless a larger extension would have no adverse impact.
6. The proposal would extend beyond the existing rear projection by approximately 2.3 metres, resulting in a total projection of around 4.1 metres beyond the original rear elevation of the dwelling.
7. In the tightly constrained context of this terrace, the cumulative depth of built form would create a substantial mass stretching a significant distance along the shared boundary with No. 64. Given the close proximity of the proposal to the neighbouring

rear-elevation windows, likely the primary sources of light and outlook for the rooms they serve, and to its immediate garden area, the proposal would appear unduly dominant. It would give rise to a strong sense of enclosure and an overbearing presence when experienced from within the dwelling and garden at No. 64. The flat-roofed design would not materially alleviate its perceived scale or presence.

8. Having regard to the relative orientation of the properties, the proposal would also increase overshadowing, particularly during times of lower sun path. This would diminish light reaching the rear elevation and immediate garden area of No. 64 thereby further harming the living conditions of these neighbouring occupiers.
9. The appellant refers to the existing boundary fence as a mitigating element. This was not shown on the submitted drawings although I observed it on site. I have no substantive evidence to indicate whether it benefits from planning permission or is otherwise lawful. Regardless of that, the spatial impact of a solid extension wall by virtue of its permanence and massing would be markedly more dominant and enclosing than a boundary fence. In light of the foregoing, I do not find the presence of this fence to overcome the harm I have identified.
10. Accordingly, I conclude that the proposal would cause unacceptable harm, that is not adequately mitigated by other material considerations, to the living conditions of the occupiers of No. 64, with particular regard to a sense of enclosure and overshadowing. The development therefore conflicts with Policies M1 and M10 of the DLP, which, amongst other things, require new development to safeguard the amenity of neighbouring occupiers and to achieve appropriate, and well-considered design.

### **Other Matters**

11. The appellant has provided information of their personal circumstances, relating principally to medical needs. It is not clear the extent to which this would be an on-going situation or whether it would form a protected characteristic. However, for completeness, I have had due regard to the Public Sector Equality Duty under the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
12. The proposal would offer the appellant more space at the ground floor but there is no substantive information to demonstrate that an alternative internal arrangement or a lesser extension would not address the appellant's needs without causing the harm identified above. In the circumstances, I find that the adverse impacts of dismissing the appeal on the appellant are proportionate to the adverse impacts that I have identified above.
13. While there were no objections from neighbouring occupiers to the proposal, this is not a reason in itself to allow development which would result in harm to the living conditions of current, or future, neighbouring occupiers.
14. The appellant has referred to advice from the Council during application stage. However, such procedural matters do not carry determinative weight in the context of this appeal and do not alter the planning merits or policy compliance of the proposal. I have considered this appeal proposal on its own particular merits.

## **Conclusion**

15. For the reasons given above, the development conflicts with the development plan taken as a whole and there are no material considerations of sufficient weight to indicate that the proposed development should be determined otherwise than in accordance with it. The appeal should therefore be dismissed.

*SJ Desai*

INSPECTOR