



Appeal Decision

Site visit made on 18 November 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 January 2026

Appeal Ref: APP/T2215/W/25/3370224

8 Oakwood Rise, Longfield, Kent, DA3 7PA

- 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 Bill Dawson against the decision of Dartford Borough Council.
 - The application Ref is DA/25/00343/FUL.
 - The development proposed is the conversion of existing bungalow to 1x2 bed and 1x1 bed units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to the retrospective conversion of an existing detached bungalow into two separate self-contained dwellings. I have assessed the proposal on this basis.

Main Issue

3. The main issue is whether the proposal provides adequate living conditions for the occupiers, having regard to internal floorspace, outlook and private amenity space.

Reasons

4. The appeal building is a detached bungalow located within an established residential area on the southern side of Oakwood Rise. The original property has been subdivided to form two separate dwellings. The one-bedroom unit is located at the rear of the building. It has a separate entrance, a lounge facing the driveway, a kitchen, bathroom, bedroom, and a small outside space.
5. The appellant disputes the Council's floorspace calculations and contends that the internal area has been underestimated. In particular, the appellant argues that certain areas, including a playroom, hallway and porch, were not included and that, when these spaces are taken into account, the total internal floorspace is substantially greater than suggested by the Council.
6. However, the critical consideration is not the overall combined floorspace of the original building, but whether each residential unit, assessed individually, provides an acceptable standard of accommodation. Even allowing for some disagreement over measurements, the evidence before me shows that the smaller one-bedroom unit falls well below the minimum gross internal floor area normally expected for a one-bedroom dwelling. The shortfall in internal living space is substantial and does not allow an acceptable living environment.

7. The fact that the unit is currently occupied by a single person, or that it contains windows to all rooms, does not overcome the fundamental deficiency in floorspace. Minimum space standards exist to ensure a baseline level of living conditions for current and future occupiers.
8. Furthermore, the outlook from the habitable rooms of the smaller dwelling is constrained. The bedroom window, in particular, is oriented towards a boundary fence which lies in close proximity. Whilst the windows provide sufficient light, the proximity of the boundary results in a visually enclosed and oppressive outlook. Outlook is a qualitative aspect of residential amenity. In this case, the restricted outlook reinforces the sense of cramped accommodation and contributes to a poor living environment.
9. The private amenity space associated with the smaller dwelling is largely hard surfaced. Notwithstanding this, it is of a sufficient size to meet the needs of a single occupier. The space is clearly defined, private, and directly accessible from the dwelling, allowing for a range of everyday domestic activities such as sitting outside, drying clothes, gardening with pots, and general outdoor relaxation. Whilst it does not provide the same level of amenity as a larger landscaped garden, its size and degree of privacy ensures that it functions as a usable private outdoor space for one person.
10. Given this, the one-bedroom unit does not provide adequate living conditions for the occupiers as a result of insufficient internal floorspace and poor outlook. As such, the proposed retention of the conversion would harm the living conditions of current and future occupiers. Accordingly, the proposal conflicts with Policies M1 and M10 of the Dartford Local Plan 2037 insofar as they seek to ensure developments are well-designed, meet nationally described space standards, and do not harm residential amenity.
11. As I have found that the outside amenity space is appropriate, the proposal does not conflict with Policy M9 of the Dartford Local Plan which seeks to ensure developments provide sufficient and high-quality amenity space.

Other Matters

12. In determining this appeal, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity. The appellant has submitted letters and earlier correspondence suggesting that refusal of planning permission would lead to the occupiers being made homeless and refers to health conditions affecting those currently residing at the property. I have taken these matters into account. I acknowledge the genuine concern expressed and accept that the appellant's motivations are sincerely held.
13. I have carefully considered the submissions, and I am satisfied that consideration of the needs of the occupiers would fall within the auspices of the PSED. However, it is understood that the occupiers referred to as having health conditions reside within the larger of the two residential units created by the subdivision. That unit is not subject to the living conditions concerns identified in this decision, and no planning harm has been identified in respect of its internal layout, outlook or associated amenity space provision. The planning issues before me therefore relate specifically to the smaller self-contained dwelling.

14. On the evidence before me, it has not been demonstrated that refusal of planning permission would necessarily or directly result in homelessness. No formal eviction notice or possession proceedings have been provided, and there is nothing before me to show that dismissal of this appeal would inevitably lead to the loss of housing. Whilst the health circumstances described are noted, no independent evidence has been submitted to demonstrate that the formation of the smaller unit is required in planning terms to meet specific medical needs. The personal circumstances put forward can therefore carry only limited weight. Planning decisions must be taken in the public interest, having regard to the standard of accommodation that would be provided for future occupiers as well as those currently in occupation. These considerations do not outweigh the identified harm.
15. The appellant has expressed dissatisfaction with the Council's actions and has alleged a lack of compassion or cooperation. I understand that engagement with the planning system can be frustrating, particularly where retrospective development is involved. However, my assessment is concerned with the planning merits of the proposal. Allegations regarding officer conduct, correspondence, or perceived unfairness do not amount to material planning considerations. I am satisfied that the Council has assessed the proposal against relevant planning policies and has clearly identified the reasons for refusal. I have attached very limited weight to this matter.
16. The appellant argues that the works undertaken are minor, involve no extension, and should not be treated as new development. However, the conversion and creation of an additional self-contained dwelling constitute development requiring planning permission. The absence of external alterations does not remove the requirement to ensure that newly created dwellings provide an acceptable standard of accommodation.
17. Matters such as parking provision, access to services, and the general sustainability of the location do not form part of the reason for refusal. Whilst they indicate that the site has some positive attributes, they do not outweigh the identified harm arising from the cramped form of development and poor living conditions. The provision of one additional dwelling carries some limited weight, but this is significantly reduced by the poor quality of accommodation created.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
19. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR