



Application: 20250505

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND
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To: **Mr Ronie Cheema
C/O Alan Penfold, Penfold Project Services
Epmarket
Wrotham Road
Meopham
DA13 0JH**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate at:

**Darnley Arms
9 Trafalgar Road
Gravesend
Kent
DA11 0QA**

and being **Erection of a second floor and change of use of first floor and new second floor to a 6 bed HMO.**

Your application dated 21st May 2025 is refused on the following grounds:-

1. The proposed development would represent a dominant addition to the building which would have a significant impact upon its character and appearance. By virtue of this and the building's prominent location and proximity to buildings of lower height and less bulk and massing, the resulting application building would be an overly dominant element of the street scene and would fail to relate to the surrounding buildings in a suitable manner. The proposed development would therefore be at significant variance to, and would have an adverse impact upon, the street scene. The proposed development is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), the design guidance in the Council's Design for Gravesham Design Code Supplementary Planning Document (2024) and the Residential Extensions/ Alterations Design Guide Supplementary Planning Document (2021), and Section 12 of the National Planning Policy Framework (2024).
2. By virtue of its height, bulk and massing in close proximity to the neighbouring properties at nos. 19- 23 Clifton Grove, the proposed development would cause overshadowing of them and would result in a loss of light for them. Moreover, the proposed extension would be an overbearing and unneighbourly development which would be harmful to the amenity of existing and future occupiers of these neighbouring properties. The proposed development is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), the Residential Extensions/ Alterations Design Guide Supplementary Planning Document (2021) and paragraph 135 (f) of the National Planning Policy Framework (2024).
3. The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary

and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 of the Gravesham Local Plan Core Strategy (2014) and to Paragraphs 193 and 194 of the National Planning Policy Framework (2024).

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application Form;
Site Location Plan
Planning Statement
Drawing no. 202 Existing and Proposed Block Plans
Drawing no. 203 Existing Floor Plans and Roof Plan
Drawing no. 204 Existing Elevations
Drawing no. 205 Proposed Floor and Roof Plan
Drawing no. 206 Proposed Elevations

2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 39 of the National Planning Policy Framework (NPPF) 2024, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance the proposal is contrary to the Development Plan and cannot be supported.

Dated: 29 September 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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**NOTIFICATION TO APPLICANT**

### **APPEALS TO THE SECRETARY OF STATE**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application\*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.

- **For further information regarding Appeals and to make an application please click the relevant link:**  
<https://www.gov.uk/appeal-householder-planning-decision>  
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

### **\*Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

### **PURCHASE NOTICES**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.