



Appeal Decision

Site visit made on 13 March 2026

by J Glasin RIBA SCA MBA

an Inspector appointed by the Secretary of State

Decision date: 20 May 2026

Appeal Ref: 6001891

9 Trafalgar Road, Gravesend, DA11 0QA

- 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 Ronnie Cheema against the decision of Gravesham Borough Council.
 - The application Ref is 20250505
 - The development proposed is erection of second floor extension and change of use of first floor from accommodation above public house to 6 x 1 bed HMO.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area.
 - The living conditions of the occupiers of neighbouring properties, with particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal site is situated within a residential area, occupying a prominent position at the junction of Trafalgar Road and Clifton Road, opposite the Bat and Ball Cricket Ground. The street scene is predominantly characterised by two-storey terraced dwellings which have pitched roofs and relatively small rear gardens. A small area of public green space lies adjacent to the site on the other side of Clifton Road.
4. The appeal building is a large two-storey semi-detached property, with a mansard roof, and small enclosed yard to the rear. The building was previously in use as a public house, with residential accommodation at first floor level. That use ceased in 2021, and my site visit confirmed that the building is currently not in use and in need of refurbishment. The development proposed would comprise an upward extension that would provide a third storey, with the public house retained at ground floor and a house in multiple occupation (HMO) occupying the upper two floors.
5. The proposed upward extension draws on some of the architectural characteristics of the existing building and reflects its form. However, although the proposal would

partly utilise the existing roof space, the building is already taller than neighbouring two-storey properties. The addition of a further floor would therefore accentuate the height difference, resulting in a building that appears disproportionately tall and visually dominant within its immediate surroundings.

6. The introduction of an additional storey would require another row of windows, which would materially change the proportions and appearance of the building within its setting of modest two-storey dwellings. This effect would be particularly noticeable given the site's prominence at a road junction, which is further accentuated by the open green space beside it, and the cricket ground opposite. The increased height would also be readily apparent from adjacent neighbouring properties and their relatively small gardens, reinforcing the perception of an overly dominant and intrusive form.
7. In conclusion, the proposal would harm to the character and appearance of the area. It therefore conflicts with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) (Local Plan), which aims to achieve high quality development that conserves and enhances the character of the local built and natural environment.

Living conditions

8. The development would increase the height and massing of the building. This would affect the living conditions of the occupiers of neighbouring Nos. 19 and 21 Clifton Grove in terms of outlook and light, as they have windows and private gardens facing the development up to the boundary.
9. The back-to-back distance between the development and Nos. 19 and 21 Clifton Grove would remain at approximately 11 metres. While the Householder Extensions/ Alterations Design Guide SPD (2021) does not specify minimum separation distances, it requires careful consideration of how extensions affect neighbouring outlook. Although the distance between the buildings would not change, the increased height and massing, together with the additional row of windows, would change the outlook from Nos. 19 and 21 Clifton Grove. This would result in an overbearing and visually intrusive form of development, harming the amenity of neighbouring occupiers of Nos. 19 and 21 Clifton Grove.
10. With regard to daylight and sunlight, the Householder Extensions/ Alterations Design Guide SPD (2021) states that extensions should not create an unreasonable amount of overshadowing of neighbouring properties. An assessment of the proposal against the "25 degree rule" guideline, set out in the SPD, indicates a potential adverse impact on light levels to Nos. 19 and 21 Clifton Grove. However, a submitted daylight and sunlight assessment concludes that the development would have a very low impact on the light receivable by its neighbouring properties. On this basis, the development would not result in an unreasonable amount of overshadowing, and the effect on neighbouring living conditions in terms of light would be limited.
11. Taking all matters into account, the development would harm the living conditions of occupiers of neighbouring properties at Nos. 19 and 21 Clifton Grove in terms of outlook. The proposal would therefore conflict with Policy CS19 of the Local Plan, Council's Design for Gravesham Design Code SPD (2024) and Householder Extensions/ Alterations Design Guide SPD (2021), which seek to ensure that extensions are in keeping with the design of the host building and its surroundings in terms of scale, height and massing, and avoid harm to outlook.

Other Matters

12. The site lies within 6 kilometres of the Thames Estuary and Marshes Special Protection Area (SPA), which is designated under the Conservation of Habitats and Species Regulations 2017 in accordance with the requirements of the Birds Directive. The SPA is classified for its importance for bird species listed on Annex 1 of the Directive, as well as for the internationally important assemblages of migratory birds it supports. The site is also designated as a Wetland of International Importance under the Ramsar Convention.
13. No mitigation measures have been secured in respect of potential impacts on the Thames Estuary and Marshes Special Protection Area, including through a Strategic Access Management and Monitoring Strategy (SAMMS) contribution. However, the appeal is being dismissed for other substantive reasons, I have not therefore considered this matter any further.
14. I recognise that the development would deliver some economic, environmental and social benefits, including the provision of additional HMO accommodation, redeveloping a vacant building, and reopening a public house. However, similar benefits could be achieved through a smaller scale development that would not involve an upward extension, albeit with fewer HMO units.

Conclusion

15. For the reasons given above, I conclude that the proposal would conflict with the development plan, as a whole. There are no material considerations, including the National Planning Policy Framework that indicate a decision other than in accordance with the plan. Accordingly, the appeal is dismissed.

J Glasin

INSPECTOR