



Appeal Decision

Site visit made on 4 December 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th February 2026

Appeal Ref: APP/K2230/D/25/3372611

49 Pelham Road, Gravesend, Kent DA11 0JA

- 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 Ms R Baker against the decision of Gravesend Borough Council.
 - The application Ref is 20250349.
 - The development proposed is described as alterations & extensions to existing dwelling.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 22 January 2026.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

3. The main issues are the effect of the proposal on:
 - the living conditions of the occupiers of 47 and 51 Pelham Road, with particular regard to outlook and privacy; and
 - the character and appearance of the host property and surrounding area, with due regard to the location of the site in the Pelham Road/The Avenue Conservation Area (CA).

Reasons

Living conditions of neighbouring occupiers

4. The proposal would introduce a two storey extension with minimal set back from the boundary with 47 Pelham Road (No 47) which is positioned adjacent to the appeal property. No 47 has ground floor and first floor windows which face the

appeal site, appear to supply habitable rooms, and which are located in close proximity to the appeal site's boundary.

5. At present, the appeal property has a single storey rear projection with a flat roof. In contrast, the proposal would incorporate an additional storey, with a pitched roof which would project further to the rear. As a result, the proposal would be significantly taller and would have a greater depth than the existing building. Views from No 27's side windows would look directly onto a large, sheer first floor elevation, with limited visual respite.
6. As the first floor extension would be positioned close to the shared boundary its combined depth, height and proximity to the neighbouring ground and first floor windows mean that it would be a dominant and oppressive feature for neighbouring occupiers. It would therefore have a harmful impact on the living conditions of the occupiers of No 47 with particular reference to outlook.
7. I note the Council's comment that there is no record of permission having been granted for the use of the first floor terrace to the rear of the appeal property. However, there is no evidence before me indicating that this is not lawfully used, and I note that the terrace appears to be included within the approved drawings for a previous, unbuilt planning permission at the appeal property (Council Ref: 20160753). Therefore, I determine the appeal based upon the situation as observed at my site visit.
8. The proposed balcony would be smaller in size than the existing terrace at the appeal site. The appeal property's existing terrace allows direct views to No 47's side windows and to the car parking area and garden to the rear of No 47. Given the extent of overlooking from the existing terrace, I do not find that the proposed balcony, which would not project closer to No 47, would result in a demonstrable additional loss of privacy for neighbouring occupiers.
9. The balcony would allow views to the rear garden of 51 Pelham Road (No 51), the adjoining property to the left, when viewed from the balcony. This rear garden already experiences a degree of mutual overlooking between properties and gardens which is common within a residential area such as this. Whilst the balcony would allow views to No 51's side elevation, which appears to contain a window to a habitable room, this is already overlooked in views from the external staircase to the appeal property's terrace. Overall, I do not find that the balcony would result in a harmful additional loss of privacy for neighbouring occupiers.
10. Windows within the proposal's first floor side elevations to the neighbouring property would allow direct overlooking into the windows on the side elevations of No's 47 and 51. Given the proximity, this would result in a harmful loss of privacy for neighbouring occupiers.
11. The appellant indicates that, in order to prevent a loss of privacy to neighbouring occupiers, stained glass windows or part obscured windows could be installed within the side elevations, and that their installation could be controlled by planning condition. I am in agreement that, had I otherwise been minded to allow the appeal, this matter could be appropriately addressed with a suitably worded planning condition.
12. However, for the above reasons, I conclude that the proposal would harm the living conditions of the occupiers of No 47 with particular reference to outlook. I

therefore find that it would conflict with policy CS19 of the Gravesham Local Plan Core Strategy (2014) (Local Plan). Amongst other aspects, this seeks to safeguard the amenity of occupiers of neighbouring properties. There would also be conflict with paragraph 135 f) of the Framework which states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Character and appearance

13. The appeal building is a substantial three storey detached dwelling. The submitted evidence describes it as being constructed in high gothic style, incorporating features such as a prominent turret on its front corner. Other characteristic features include an attractive pitched and hipped roof form with prominent dormer windows, red brick with yellow stock brick banding and the use of terracotta for decoration. From the front elevation, it appears as a grand building in a very decorated style.
14. Several similar large, prominent red brick buildings are arranged on this side of Pelham Road with a common building line set back from the highway. The character of this part of the CA and its significance stems from, amongst other aspects, the arrangement of the generously sized and spaced red and yellow bricked-faced houses, often with prominent chimneys, turrets and rich architectural detailing. The Council's Conservation Area Appraisal (2009) (CAAC), also identifies the canted window bays, decorative ridge tiles and sash windows which give a vertical emphasis, as being of particular importance in this part of the CA and as a whole. With its rich architectural detailing and prominent street position, the appeal building positively contributes to the character of the area.
15. As the proposal is in a CA, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The statutory duties within the Act are reflected in the Framework which states that great weight should be given to heritage assets' conservation.
16. Whilst relatively large in scale, the two storey element of the proposal would be set significantly down from the ridge line of the host property. The extension's ridge line would have a slight overlap of the eaves of the main roofline, however, given the substantial size of the host dwelling, the extension would appear as a subservient addition. Its projection of 3.5 metres beyond the existing rear elevation would be a modest protrusion beyond the end elevation of the house, given the scale of the host building.
17. Whilst visible from the public highway, the side extension would have a very significant set back from the host building's front elevation. This factor, combined with its limited width and height would ensure that it would not be a prominent or incongruous addition, despite its parapet roof design.
18. The proposal's elevations would continue the red and yellow brickwork banding that the CAAC identifies as being of particular importance within the CA. Furthermore, the removal of the ungainly rear external staircase, would have a beneficial effect on the appearance of the host property.
19. The large glazing elements on the proposal's rear elevation would be contemporary in design. This would add to and complement the mixture of

materials on display within the host building. Furthermore, contemporary design and historic forms are not inherently inimical. In this instance the former, whilst identifying the proposal as a modern addition, would sit comfortably relative to the latter.

20. The windows in the proposal's side elevations would be sash windows with rounded heads. Their design would follow the verticality of many of the building's existing windows. The existing windows at the host property are a range of design, sizes and styles, and therefore in this particular situation the round headed sash windows would have no harmful effect on the character and appearance of the CA.
21. The rear of the host property as a whole is principally experienced from the car parking area to the rear of No 47 and from the rear of dwellings on Campbell Road. The rear extension's pitched roof form and gable would couple with the host dwelling's rear gable. Whilst there would be a mix of roof forms, the proposal would be seen as a characterful addition that would preserve the character and appearance of the host dwelling and CA.
22. For the above reasons, I conclude that the proposal would comply with Policies CS19 and CS20 of the Local Plan and saved Policy TC3 of the Gravesham Local Plan First Review (1994). Together, these expect new development to be derived from a robust analysis of local context and to make a positive contribution to the character of the area, whilst identifying that the Council will afford a high priority towards the preservation, protection and enhancement of its heritage and historic environment.
23. I also find no conflict with the Framework insofar as it requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Other Matters

24. I have been referred to paragraph 11 of the Framework, which requires decisions to apply a presumption in favour of sustainable development. However, given the harm I have identified to the living conditions of neighbouring occupiers and the resulting conflict with Local Plan policies, that presumption does not outweigh the identified harm.

Conclusion

25. The proposal would harm the living conditions of occupiers of 47 Pelham Road. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR