



Appeal Decision

Site visit made on 17 June 2025 by E Clifford BA (Hons) MA

Decision by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2025

Appeal Ref: APP/X2410/D/25/3364787

4 Shirley Drive, Syston, Leicestershire LE7 1LU

- 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 & Mrs S Evans against the decision of Charnwood Borough Council.
 - The application ref is P/25/0125/2.
 - The development proposed is the erection of a part single storey and part two storey front and side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupants of the neighbouring properties, namely 2 and 6 Shirley Drive (Nos. 2 and 6), having particular regard to overbearing and a loss of light.

Reasons for the Recommendation

4. The property is set back from the street behind an open front garden and drive. A detached garage is set back beyond the house with side access enclosed by a metal gate. The property line along this side of Shirley Drive is staggered to complement the curve of the road line. Each of the immediate neighbours to the appeal site have been extended; the left-hand property, No.2, has a two-storey side extension, which appears to house a habitable room to the first floor and below is a car port. The other side, No.6, has a single storey side extension which now forms the boundary to the appeal site.
5. Firstly, having regard to the effect of the proposed development on the neighbouring property, No. 6, the LPA have confirmed that there are no concerns regarding the proposed side extension having a harmful impact on this property; it is therefore the proposed front extension which is in dispute.
6. The property at No.6 is a part of the staggered building line and therefore the frontage is set back behind that of the appeal site. As the proposed development is for a two-storey front extension, the siting of the two properties and the positioning of the proposed extension means that there will undeniably be an impact on the

amount of daylight received to the habitable rooms of No.6 and the proposal fails to accord with the 45-degree guideline as set out in the Charnwood Design Supplementary Planning Document (2020). The harmful impact of this is exacerbated by the orientation of the dwellings, as the natural path of the sun during the day means that the proposed development will cast the neighbouring property into greater shadow. The cumulative impact of these two factors will result in an unacceptable loss of light to the habitable rooms at the front of No.6 and thus will create an overbearing effect.

7. The appellant has drawn my attention to an existing single storey extension at No. 6 and its relationship with the appeal property. I have no specific details of the history of this extension; however, I do not consider this extension to be directly comparable to the proposed extension particularly with regards to massing, orientation, and positioning of windows.
8. The proposed side extension adjacent to No. 2 would not have a substantially harmful effect on the living conditions of occupiers of No. 2, given the existing mass of the appeal property, and the limited amount of the proposal which would be two-storey, combined with the relatively large rear gardens of both plots. The local planning authority accept that the front extension would not have an adverse effect on the occupiers of No. 2 with regards to outlook and overshadowing, as well as accepting that the side extension would not harm the living conditions of the occupiers of No. 2 in terms of loss of daylight.
9. Overall, I conclude that the proposed development would have a harmful effect on the living conditions of the occupants of the neighbouring property, namely No.6, with regards to light and overbearing effects. In that regard, it fails to accord with the Charnwood Local Plan Core Strategy (2015), Policy CS2, Policy DS5 of the emerging Draft Local Plan (2021-2037), saved Policy EV/1 of the Borough of Charnwood Local Plan (2004) which seek to preserve the living conditions of the occupants. It would also conflict with the Charnwood Design Supplementary Planning Document (2020) and the National Planning Policy Framework.

Other Matters

10. It is noted that no objections have been received from neighbouring properties, local councillors, or Syston Town Council. The appellants have also raised concerns regarding procedural matters leading to the Council's determination of the application which include submitted plans of a previous scheme. However, I can only consider the scheme as determined by the local planning authority and whilst having regard to all of these matters, they do not outweigh the harm I have found to the living conditions of the occupants of No.6.
11. The appellant has referred to other dwellings which have built extensions within the local area including at No.8 Shirley Drive and No.1355 Melton Road. I do not have the specific details of these developments and therefore cannot consider whether they are directly comparable to the appeal scheme, particularly with regards to orientation and effect on living conditions. In any event, I have determined this appeal on its own merits.

Conclusion and Recommendation

12. For the reasons given above the appeal should be dismissed.

E Clifford

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Chris Baxter

INSPECTOR