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## Appeal Decision

Site visit made on 18 August 2025

**by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 08 September 2025

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**Appeal Ref: APP/W2465/D/25/3368034**

**34 Tennis Court Drive, Leicester LE5 1AP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Mandip Singh Tatla against the decision of Leicester City Council.
  - The application reference is 20250494.
  - The development proposed is described on the Application form as the 'Construction of a single-storey side and rear extension, a two-storey side extension, and associated alterations.'
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposal upon:
  - The character and appearance of the existing building and the surrounding locality; and
  - The living conditions of the existing and future occupiers, with particular regard to access to light.

### Reasons

3. The appeal site is a corner site with its front façade fronting Tennis Court Drive and its side façade and vehicular access provided from South Drive. The locality is part of a larger estate that appears to have been developed in the early to mid-twentieth century. The surrounding area including the appeal site contains pairs of semi-detached dwellings with a functional design that have been laid out in a formal speculative housing development which maintains the same designs with two storey construction, hipped roof forms with large central coaxial chimney stacks. Dwellings are constructed in red brick with two storey canted bay windows and feature pebbledash render applied to the first floor and some dwellings maintaining the original red ridge tiles that contrast with the dark clay roof. The dwellings along Tennis Court Road have been laid out in a regimented fashion with the same setbacks from front and side boundaries and gaps in between dwellings at first floor and sometimes ground floor enabling glimpses to the tops of trees behind. These details along with vegetated front gardens assists in creating positive elements which reflect the qualities of character, appearance and local distinctiveness for this particular location. Whilst there is evidence of extensions and alterations seen throughout the estate, they are generally subservient to the main dwelling and retain the positive characteristics which contribute to local distinctiveness.

4. The appeal site is one of the original characteristic half of pairs of semi-detached dwellings constructed as part of the residential estate in a functional design and contains a single storey side extension with lean-to roof. As the appeal site is on a corner plot, the dwelling is more prominent within the street scene, with also considerations around the topography of land falling from Tennis Court Drive down South Drive, which gives the site more prominence. Unfortunately, much of the front garden has been removed for vehicular parking, but maintains its symmetrical appearance and regimented setbacks within the street scene with the remaining half of the semi-detached dwelling. The remaining half of the semi-detached dwelling (No.36) maintains its original appearance to the street.
5. In assessing new development the Leicester City Council Core Strategy (CS) Policy CS03 is a design led policy which has a number of design criteria to adhere to such as being high quality, well designed, respond positively to the character of the area in terms of materials, height, scale, and massing, amongst others. This policy is also supported by the Leicester City Council Residential Amenity Supplementary Planning Document (SPD) which gives further guidance around the considerations for designing residential extensions such as maintaining proportionality and subservience to host dwellings.
6. The proposed two storey side extension would be approximately a similar width to the existing dwelling giving a very elongated appearance, particularly at ground floor level where there is no setback of the front façade. The SPD describes the importance of maintaining subservience of the extensions and ways to do this are measures such as dropping the ridge of the roof and setting back the extension from the front façade by at least one metre. Whilst there is a very small setback from the front façade at first floor level and a small drop to the ridge of the roof, this does not assist in mitigating the massing and visual bulk of the extension which maintains a domineering appearance to the existing dwelling.
7. Whilst the CS Policy CS03 places an emphasis on subservience, the proposed side extension would have an asymmetrical appearance that would unbalance the pair of semi-detached dwellings, causing harm to the character and appearance of the area. I have been asked by the Appellant to ignore the Council's comments where they believe there is a 'terracing effect' caused by the extension, on the basis that the Appellant feels that this cannot occur as there is no dwelling to the south of the extension. This is not my interpretation of what the Council means, as to me the Council are saying that the lack of setback and subservience together with the overall width of the extensions makes the extension look like another dwelling has been attached to the side of the dwelling. This would mean that the building looks like a terrace of 3 dwellings rather than a pair of semi-detached dwellings with one of the dwellings having a side extension.
8. I agree with the Appellant that the appeal site does have a large garden to the rear and to the side, however as described previously, the gaps in and around dwellings as well as the regimented layout have positive contributions to the local distinctiveness and character of the area. Whilst the appeal site and No.36 are angled towards the pair of semi-detached dwellings on South Drive, the front corner of the dwellings align which illustrates the original layout of the estate. The two storey extension does erode a large proportion of the visual gap to the side and does exceed the character of the layout and positioning of the dwellings to a great extent that it would be out of character and detrimental to the positive qualities that

contribute to local character and distinctiveness. Whilst there is symmetry and gaps to contend with along the street, there is also a very strong relationship of the pair of semi-detached dwellings in order to have a coherent design which contributes to the local distinctiveness of the appeal building and the locality.

9. In conclusion of this matter, the proposed extension would be clearly disproportionate and would be harmful to the character and appearance of the existing building, and would not reinforce the positive characteristics of local distinctiveness of the locality. The proposed scheme would therefore be contrary to CS Policy CS03 which is supported by the SPD as described previously.

#### *Living Conditions*

10. The main concern expressed in the Council's Officer Report is around the shadow cast by the proposed extension on the existing private open space and the open plan kitchen which has the ability to be a habitable room via it's size and function.
11. The existing dwelling faces south-west meaning that the direction of the sun would cause some overshadowing of the rear garden in the morning, however would allow good access to light and sun for a large proportion of the afternoon. Whilst there would be a difference in perception of access to light from existing conditions to the proposed extension, I do not feel that the change is to a level that would cause material detriment to the living conditions of the existing and future occupants by reason of overshadowing and loss of light.
12. Taking the above into account, and in conclusion of this matter, the proposed scheme would not cause adverse impacts to living conditions and would generally be in accordance with the City of Leicester Local Plan Saved Policy PS10 which seeks that development not cause adverse impacts to living conditions.

#### **Other Matters**

13. I note comments from an interested party with regards to the blank wall of the proposed extension causing detriment to their outlook where they appear to be located in a dwelling along South Drive that fronts the appeal site. There is a sufficient setback between the dwellings and whilst there would be a change in perception of the extension, I do not consider that this would be enough to cause adverse detriment as a result of the extension being overbearing to the neighbour.

#### **Conclusion**

14. I have sided with the Appellant with regards to the proposed scheme's impact towards living conditions. However when the development plan policies are taken as a whole, including any material considerations, this would not be sufficient to override the harm caused to the character and appearance of the area. For the reasons given above, I conclude that the appeal is dismissed.

*J Somers*

INSPECTOR