



Appeal Decision

Site visit made on 16 September 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 October 2025

Appeal Ref: APP/F2415/D/25/3371290

44 Drayton Road, Medbourne, Leicestershire LE16 8DW

- 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 Karen Burrows against the decision of Harborough District Council.
 - The application Ref is 25/00406/FUL.
 - The development proposed is described as Two storey front extension, part two storey and part single storey rear extension and insertion of a first floor window and solar panels to the North West elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - a) the character and appearance of the existing building and surrounding area; and,
 - b) the living conditions of the occupiers of neighbouring properties with particular regard to overbearing, overshadowing and loss of light.

Reasons

Character and Appearance

3. The appeal property is a two-storey, semi-detached dwelling constructed with brick and rendered elevations. The dwelling has a tiled hipped roof with a small gable to the front elevation. A narrow, linear single storey projection is located to the rear. The semi-detached pairing, No.46 Drayton Road (No.46) is of similar appearance, although it has been extended with a two-storey extension to the side. A single storey extension has been constructed to the rear which is wider than the single storey projection at the appeal site. The two-storey side extension to No.46 has, to some extent, visually imbalanced the pairing.
4. The appeal site is set within ribbon development along Drayton Road. The group of dwellings within the ribbon along Drayton Road (Nos.20 - 54) are of similar semi-detached character, although there is some variety in roof form. A number of these properties have been extended with two-storey extensions to the side or front. These extensions have diluted the sense of uniformity within the row. All dwellings in this group are positioned behind long driveways and front gardens. As such the row of buildings are set back by some distance from the public highway.

5. The proposed two-storey front extension would have a modest forward projection and would have a width which is less than half of the existing dwelling. The extension would include a small front facing gable which would replicate the existing. The incorporation of a gable would result in the extension having a similar appearance to the existing dwelling. As the extension would project beyond the front building line across two storeys it would appear more pronounced. However, the extension would remain significantly set back from the street meaning that any views of it would be set against the existing built form. The set back, along with its modest scale and appropriate design of the extension, would mean that it would not appear as a prominent or incongruous addition to the dwelling.
6. For the same reasons, and in the context of the variety and form of extensions in the wider street scene, I do not consider that the semi-detached pairing would become unduly imbalanced. Therefore, the front extension would not result in an incongruous addition that would have a harmful effect on the character and appearance of the street.
7. My attention has also been drawn to a similar two-storey front extension at No.22 Drayton Road (No.22). I agree that the scale and form of the proposed front extension would be similar to this development. The modest degree of forward projection and set back from the street, together with the complementary form and design means that the extension at No.22 does not appear visually out of context or prominent within the street scene. This reinforces my conclusions that the impact of the front extension on the appeal dwelling, its semi-detached pairing and wider street would be acceptable.
8. The extensions to the rear would be constructed over two-storeys and across the width of the dwelling. As such the whole rear elevation would be subsumed by the rear extensions. Notwithstanding this, the extension would have varying degrees of rearward projection at both ground and first floor levels. This variation would help to lessen the overall mass and perceived scale of the extensions. Furthermore, the extensions include varying ridge heights, all of which are set much lower than the ridge height of the main roof. This would ensure that the extensions would appear subordinate to the host dwelling. Therefore, I consider that the cumulative extent of the extensions would appear subservient and would not overwhelm the host dwelling, which would remain visually dominant.
9. For the above reasons, the proposed development would not have a harmful effect on the character and appearance of the existing building and surrounding area. Therefore, the development complies with policy GD8 of the Harborough Local Plan 2011-2031 (the LP) and policy H5 of the Medbourne Neighbourhood Plan (the NP). Together, amongst other things, these seek to deliver a high standard of design which respects local character, having regard to scale and layout.

Living Conditions

10. There are a number of ground floor openings within the side elevation of No.42 Drayton Road (No.42). One of these is a kitchen window. The Development Management Supplementary Planning Document 2021 confirms a kitchen to be a habitable room. I understand this window to be the main source of light to that room and, without evidence to the contrary, I consider that it should be treated as a principal opening.

11. This window has a direct outlook towards the existing two-storey flank elevation of the appeal property. The window and appeal property are closely positioned, only separated by narrow passageways either side of a close board fence. The two-storey mass of the appeal dwelling and close proximity means that there is an established overbearing relationship. The window also has a southerly facing aspect and the existing site conditions means that the level of light to this window would be heavily constrained. The existing single storey rear outrigger is not significant in height, and its pitched roof form would likely allow for some light filtration to the kitchen window, particularly during the morning. The undeveloped space above the existing single storey outrigger also provides for some important visual relief in the outlook from the window.
12. The proposed two-storey rear extension would replace the existing single storey outrigger. It would also be constructed slightly closer to the boundary with No.42. The extension would add significant additional mass over two-storeys that would project above the boundary fence. Therefore, the extension would be highly prominent from the kitchen window of No.42. The position, depth and height of the two-storey rear extension would be viewed cumulatively with the existing dwelling resulting in a visually dominant presence in the outlook from the kitchen.
13. Furthermore, the extension would erode an important area of undeveloped space above the existing single storey outrigger. Given the aspect of the window, the level of light reaching the kitchen in the morning would likely be reduced significantly. In the absence of any evidence to the contrary, I cannot be satisfied that the resultant level of light reaching the kitchen would be at acceptable levels.
14. The proposed two-storey front extension, while only modest in projection, would further elongate the extent of two-storey development adjacent to No.42. While this may only be visible at an oblique angle, when considered cumulatively, this would only further compound the sense of enclosure and overbearing effect to the kitchen.
15. The Council raise concerns with regard to overlooking from a proposed first floor window into the garden of No.42. This is on the assumption that this could be used as a bedroom in the future. The room is shown on the plans as a “store” and is of limited floorspace. The level of floorspace would likely limit its functionality as a genuine bedroom. If I were minded to allow the appeal, I consider that the issue could be addressed through an obscure glazing condition.
16. I now turn to the relationship with No.46. That property has rear facing windows at both ground floor and first floor level. It is understood that these serve habitable rooms. A single storey rear extension has also been constructed to the rear of No.46. This has been constructed close to the rear facing ground floor window. A boundary fence of modest height defines the boundary.
17. The proposal includes both two-storey and single storey rear extensions which, in part, would be constructed up to the boundary with No.46. The two-storey element is modest in rearward projection. The application demonstrates that the two-storey extension would not breach the 45-degree standard from the rear facing windows. Notwithstanding this, the two-storey extension, together with the proposed single storey element would be constructed hard up to the site boundary. The scale and mass of the extension would project significantly above the boundary fence. The

lack of any initial off set from the boundary means that the extension would be visually prominent from No.46

18. The existing single storey extension at No.46 is closely positioned to the rear facing ground floor window. This extension, together with the close proximity and scale of the proposed development would mean that the rear facing ground floor opening would be significantly enclosed on both sides. This would create a tunnel effect in views from the window. Furthermore, the proposed extension includes a further two-storey element which would be set away from the boundary. This part of the extension would have an eaves height which would be significantly higher than the eaves of the dwelling. This would result in a greater vertical expanse of brickwork close to the garden space of No.46. This would only add further to the degree of overbearing and sense of enclosure to the window and immediate external living space.
19. The appellant relies on a similar planning permission which was very recently approved at No.38 Drayton Road (No.38)¹. I do not have full details of that proposal, although I have been provided with what I understand to be the approved plans². While I agree that there are similarities between that approval and the appeal scheme there are, crucially, some material differences.
20. Firstly, that approval relates to the handed property of the semi-detached pairing. Therefore, the orientation is different and the degree of overshadowing and loss of light to the neighbouring detached property would be far less (assuming it has a similar side facing kitchen window). In addition, the approval does not appear to include a two-storey front extension which, in this appeal, I have found to add to the overall overbearing effect on the detached neighbour. Secondly, with regard to the effect on its attached neighbour, the approval does not include a two-storey element constructed on the boundary. The extension does not appear to include an eaves height which exceeds that of the existing dwelling. In addition, the plans appear to show that the attached neighbour retains its original single storey outrigger. This is unlike No.46 which has a larger single storey rear extension which has been constructed closer to the rear facing ground floor window. Therefore, the sense of enclosure would differ. As such, I find neither the context or the design of the appeal scheme to be directly comparable. In any event, I have considered this appeal on its individual merits.
21. For the above reasons, the proposed development would have a harmful effect on the living conditions of the occupiers of neighbouring properties with particular regard to overbearing, overshadowing and loss of light. Therefore, the development conflicts with policy GD8 of the LP and policy H5 of the NP. Together, amongst other things, these require that development has regard to the amenity of neighbouring occupiers and to deliver development which does not have a significant adverse effect on the living conditions of residents through overshadowing and overbearing.

Other Matters

22. I note the concerns of the appellant with regard to the consistency of decision making. However, as I have identified above, I consider that there are material

¹ Application Reference: 25/00357/FUL

² Appellant's Appeal Statement - Appendix Three

differences between the appeal proposal and the decision which was made at No.38. I appreciate the appellants frustration at a lack of discussion during the application process. However, that would be a matter between the main parties and is not determinative to my consideration of this appeal. In addition, the lack of any objection from the Parish Council has no bearing on the appeal, which must be considered against the policies of the development plan.

23. Concerns have been raised by a third party with regard to parking and general disturbance during construction. While these concerns are noted, the proposed development is modest in scale and the period for construction would likely be for a short time only. Therefore, any effects would only be temporary.

Conclusion

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

D Cleary

INSPECTOR