



Appeal Decision

Site visit made on 30 September 2025

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th October 2025

Appeal Ref: APP/X2410/W/25/3369623

49 Iveshead Road, Shepshed, Leicestershire LE12 9EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Thompson against the decision of Charnwood Borough Council.
 - The application Ref is P/25/0436/2.
 - The development proposed is outline application for the erection of up to 4no. dwellinghouses (all matters reserved except for access).
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Thompson against Charnwood Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The planning application was in outline with all matters reserved except for access. As such, I have regarded all detailed elements of the submitted drawings as indicative apart from the access. An amended indicative site layout plan has been submitted with the appeal. As this is an indicative layout no party has been prejudiced by its submission at this stage. Although the description of the development is noted as up to 4 dwellings, the indicative plans and supporting evidence is based on the maximum number of dwellings likely to be built. I too have considered the scheme on this basis.
4. The draft Charnwood Local Plan (draft Local Plan) is at an advanced stage. However, the Council's statement advises that it has been subject to modifications and additional consultation recently. I have no firm details regarding the nature of these modifications and whether they relate to any of the draft policies that have been referred to in the appeal. Accordingly, I can not be certain as to whether they would be subject to change and therefore based on the evidence before me I give them little weight in my decision.

Main Issues

5. The main issues are the effects of the proposal on:
 - The character and appearance of the surrounding area; and
 - The living conditions of the occupiers of Nos 49 & 51 Iveshead Road with particular reference to noise and disturbance.

Reasons

Character and appearance

6. The appeal site forms part of the large rear gardens associated with Nos 49 and 51 Iveshead Road (Nos 49 & 51). Along this part of Iveshead Road, houses are generally aligned in a linear form and have long spacious rear gardens. There is no fixed building line and there is variety in the angle of properties, design and positioning. Moreover, in addition to the linear housing, there is some depth to the built environment, including a sizeable building adjacent to the appeal site at 41 Iveshead Road and immediately north where housing along Abbey Close is evident. Nonetheless, the predominant character in this part of the road is of linear housing with low densities, long rear gardens with soft qualities resulting in a pleasant environment to the rear of the frontage housing.
7. The proposal would introduce housing to the rear of Nos 49 and 51, which would increase the density of housing along this part of Iveshead Road. Although indicative I am not persuaded from the evidence before me that the site can accommodate the maximum number of houses sought without appearing cramped.
8. Due to the plot shape and number of houses sought to the rear of the plot, the indicative layout shows a high degree of hard surfacing for the access road and parking. This would not result in a high-quality environment, for example Plot Two on the indicative layout would face directly at close distance on to four vehicle parking spaces. This combined with the massing of the built form spread across the width of the plot and the level of development would not result in a visually attractive scheme.
9. Whilst I accept that the plan is indicative there is no evidence before me that a design could be brought forward for the level of development sought at the reserved matters stage that would not appear contrived in this particular plot. This is due to the constraints from its plot shape, frontage housing and the long spacious and soft qualities of gardens along this part of Iveshead Road.
10. The site would not be prominent from Iveshead Road but it would be from private views and the extent of views from the public realm does not alter or outweigh my concerns on this matter.
11. My attention has been drawn to other housing in Shepshed where development exists behind frontage plots. This includes some backland development behind Iveshead Road, such as at The Pastures. However, these are not immediately close to, and do not share the same characteristics as, the appeal site with the predominantly long spacious gardens and soft qualities of housing found along this part of the road. Moreover, my concerns are not the principle of development in a backland location, but the amount of development sought and how this could be developed in this particular plot. In this regard, even if the land to the rear of the appeal site is allocated and developed as part of the draft Local Plan it would not alter my findings in relation to the scheme before me.
12. I therefore find that the proposal would have a harmful effect on the character and appearance of the surrounding area. As such, I find conflict with the requirements of Policy CS2 of the Council's Local Plan Core Strategy (2015) (CS), saved Policy EV/1 of the Council's Local Plan (2004) (LP) and paragraph 135 of the National

Planning Policy Framework (the Framework) (2024), when taken together and in so far as they relate to this main issue. These say, amongst other things, that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Living conditions

13. The proposal would involve the access road passing the side of Nos 49 & 51 and passing the side of their respective rear gardens. Moreover, although indicative the parking for both Nos 49 & 51 would be relocated to the rear as well. The quantum of development would be such that whilst there would be a regular rhythm of vehicles using the access road the level of activity would not be significant.
14. There is sufficient space for a 5.0m carriageway and some planting, and vehicles would likely travel slowly along the access road. Moreover, it is not unusual in a suburban residential environment for access routes to pass the side of properties and their rear gardens. Indeed, the appellant has referred me to a comparable relationship at The Pastures along Iveshead Road. Whilst occupiers of Nos 49 & 51 would be aware of passing vehicles using the access road both from the sound of vehicles or their lights at night, given the modest number of houses this would not be of a level that would be disturbing.
15. I therefore find that the proposal would not have an unacceptable effect on the living conditions of the occupiers of Nos 49 & 51 with particular reference to noise and disturbance. As such, I find no conflict with the requirements of Policy CS2 of the CS, Policy EV/1 of the LP or the provisions of the Framework, when taken together and in so far as they relate to this main issue. These say, amongst other things, that planning policies and decisions should ensure that developments will 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.

Other Matters

16. The proposed development would make an efficient use of the land with an increased density of housing in a sustainable location from a small windfall site which are objectives supported by the Framework. There would be social and economic benefits from providing additional homes in the locality and environmental benefits from the statutory biodiversity net gain. The absence of harm in relation to other considerations, such as highway safety, weighs neither for nor against the proposal. The overall benefits from the scheme would be modest given the scale of development. Concerns regarding the processing of the application are not matters for my consideration and I have considered the scheme on its own merits.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

Mr R Walker

INSPECTOR