



Appeal Decision

Site visit made on 30 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/X2410/D/25/3373273

32 Wanlip Lane, Birstall LE4 4JS

- 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 K Singh against the decision of the Charnwood Borough Council.
 - The application Reference is P/25/1494/2.
 - The development proposed is described on the Application Form as 'Proposed single storey side extension and alterations.'
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Decision

1. The appeal is allowed and planning permission is granted for a 'Proposed single storey side extension and alterations' in accordance with the terms of the application Ref: P/25/1494/2, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - Proposed Site Plan, Drawing No. 2025/07/164, Dated 21/07/2025
 - Proposed Elevations, Drawing No. 2025/07/164, Dated 21/07/2025
 - Proposed Roof Plan, Drawing No. 2025/07/164, Dated 21/07/2025
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. In the Council's Reason for Refusal there is a reference to the Emerging Charnwood Plan 2021-37 (ECP) Policy DS5 which is a design policy that lists a number of design principles. In my application of paragraph 49 of the National Planning Policy Framework (the Framework), whilst the ECP is not part of the adopted development plan, it is currently at an advanced stage in the process where the Council are undertaking a modifications consultation with regards to the Community Infrastructure Levy. The Council has submitted details of the main modifications which do not concern Policy DS5 with there being no objections to this policy, the policy to me seems in general conformity with the Framework; and there is a strong likelihood that the draft policy will remain unchanged. Given the advanced stage of the policy and the considerations under Paragraph 49 of the Framework, I will give significant weight to this policy.

Main Issue

3. The main issue is the effect of the proposed development upon the existing building and the character and appearance of the locality.

Reasons

4. The appeal site is located to the corner of Wanlip Lane and Lawn Avenue, which forms one of a number of streets in the local area that contains formally laid out speculative housing which appears to date from the early to mid-twentieth century. The local area is largely suburban and predominantly contains pairs of semi-detached dwellings with some later infill such as an apartment block opposite, primary school and a church nearby which disrupt the regimented layout. The dwellings contain similar design elements and materials such as hipped roof forms, the use of brick and render with boundaries consisting of low brick dwarf walls or fences, however many walls have been removed to place parking in the front garden. Vegetation is a positive influence upon the street scene where street trees, vegetated front gardens and glimpses to vegetation to the rear through gaps in between buildings reinforce the qualities which make up local character and distinctiveness.
5. The appeal dwelling is a half of a pair of semi-detached dwellings which is two storeys tall, hipped roof and bow window to the front of the dwelling, with cream render to the front and side facades, and brick detailing to the plinth and decorative quoins. There was no front boundary wall with the front garden with gravel. Upon my site visit it appeared that part of the building was being utilised as a beauty business alongside the residential accommodation.
6. In considering the character and appearance of development, CS Policy CS2, Saved Policy EV1 of the Borough of Charnwood Local Plan (BCLP); and ELP Policy DS5 are all design policies that seek that development achieves a number of design principles such as respecting and enhancing the character of the area, having regard to massing, height, layout, materials, heritage assets and their settings, amongst others. The Charnwood Design SPD also gives further guidance on the appropriateness of development, including extensions to dwellings.
7. The proposed extension would be single storey in height, set back from the front façade and be setback from the side boundary. The extension would be constructed of materials and have a design that is in-keeping with that of the existing building which is also commented in the Planning Officer's report as being appropriate. The main concern appears to be of the breaking of the 'building line' where dwellings along Lawn Ave line up with the side of the appeal site and that the pair of semi-detached dwellings wouldn't be as symmetrical.
8. Whilst the proposal would make the pair of semi-detached dwellings appear asymmetrical, the setback of the extension from the front façade and the side boundary as well as the design and height enables the extension to be read as a subservient and later addition to the existing building. Whilst the extension would extend beyond the building line, this is not a dominant characteristic of the locality with extensions to the side occurring to No.30 Opposite, as well as No.42 Wanlip Lane, where the proposal is much more sympathetic than these two examples. As per these examples the building line in these examples given can still be appreciated from the main components of the dwellings.

9. Consequently, and in conclusion of this matter I disagree that the proposal would be overly large and would not be uncharacteristic to similar extensions found within the locality. The proposed scheme would therefore be in compliance with CS Policy CS2, Saved Policy EV1 of the Borough of Charnwood Local Plan (BCLP); and ELP Policy DS5 as described previously.

Conclusions and conditions

10. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed below.
11. The Council in their Appeal Form response detailed that should the appeal be allowed, that specific conditions should be included which I have considered in accordance with the Planning Practice Guidance (PPG). Conditions 1 and 2 are standard conditions which set the standard time limit and approved plans which are necessary for the avoidance of doubt and in the interests of proper planning. Condition 3 seeks that the scheme is constructed in matching materials which are necessary as this condition enables the development to fit in with the character and appearance of the existing dwelling and the locality.

J Somers
INSPECTOR