



Appeal Decision

Site visit made on 26 November 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 December 2025

Appeal Ref: APP/W2465/W/25/3373118

51-53 Narborough Road, Leicester LE3 0LE

- 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 I Sattar of I K Investments against the decision of Leicester City Council.
 - The application Ref is 20242058.
 - The development proposed is described as a conversion and extension to form 4 no. 2-bed flat units.
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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 building and surrounding area;
 - b) the living conditions of the occupiers of neighbouring dwellings with particular regard to overbearing, outlook, loss of light and privacy; and,
 - c) the living conditions of the future occupiers of the development with particular regard to access, the provision of internal and external living space, outlook, light, and privacy.

Reasons

Character and Appearance

3. The appeal relates to a two storey, end terraced building. The building is in use as a pharmacy which currently occupies both ground and first floors. The building has rearward projections which are of varying design and scale. The building covers the plot in its entirety meaning the site has no rear service yard. This part of Narborough Road is predominantly commercial in character with some uses having residential accommodation on upper floors. Surrounding buildings generally have rearward projections which vary in form and scale. Whilst development to the rear is varied, two storey projections generally include pitched or hipped roofs which are subservient in scale to the main building. To the side of the appeal site is an alleyway which leads to a narrow rear service alley. This provides pedestrian access to the uses on Narborough Road. The streets to the rear of the appeal site are residential in character and predominantly comprise terraced properties. Cranmer Street, which runs parallel to Narborough Road, backs on to the appeal

site. These dwellings have a close built relationship with Narborough Road, with buildings separated by modest rear gardens and the rear service alley.

4. The proposed development includes an extension to the rear of the property. The extension would be a rearward projection over three-storeys in its entirety, and would replace the existing rearward additions. The extension would fill the width and depth of the plot. The extension would project from the existing rear roof slope although it would be set down from the ridge line by a short distance. The flat roof form of the extension would introduce a design which would be inconsistent with the roof design of the existing building and surrounding properties. This roof design, along with the overall height and depth of the extension, would result in considerable bulk to the rear of the building. Its scale would be significant and would dominate the rear façade of the building, failing to achieve any meaningful sense of subservience. Furthermore, the scale of the extension would be significantly greater than other rearward projections along this part of Narborough Road. It would therefore dominate the rear façade and roofscape of surrounding buildings. Therefore, the development would appear as an incongruous and inharmonious addition to the host building and surrounding area.
5. The proposed extension would be sited entirely to the rear and, as such, would not be prominent from Narborough Road. Nonetheless, the development would be visible from the adjacent alleyway, nearby residential buildings and garden spaces. From close spaces, the scale of the development would be a domineering presence creating an oppressive environment. From wider vantage points to the rear, the design and scale of the development would be viewed as a substantial mass and an incongruous development which would appear juxtaposed with existing built form. As such, the development would cause significant harm to the overall character and appearance of the area.
6. For the above reasons, the development would have a harmful effect on the character and appearance of the existing building and surrounding area. Therefore, the development conflicts with CS Policy 3 of the Leicester City Local Development Framework Core Strategy 2014 (the CS). This, amongst other things, expects development to be of a high-quality design which contributes positively to the built environment.

Living Conditions – Neighbouring occupiers

7. To the rear of the appeal site are the rear gardens and rear elevations of a number of residential properties on Cranmer Street. The addition of three storey development across the whole width of the site would significantly increase the mass of built form at the appeal site. The height of the development would project by a substantial distance above the rear residential boundaries. The development would be positioned very close to the rear gardens of these properties, separated only by a narrow alleyway. The scale of development, due to its height and width, would loom over the gardens at a very close proximity and would appear as a prominent and domineering mass. As such, the development would result in a significant sense of overbearing and enclosure on the adjacent garden spaces.
8. The first and second floor openings within the rear elevation would serve bedrooms and living rooms. These would be positioned at a higher level than the existing boundary wall. Their position, along with the very close proximity of the elevation to

the neighbouring gardens would mean that occupiers within the rooms served by these windows would have immediate and direct views into the neighbouring private spaces. The lack of any meaningful separation would result in an unduly intrusive relationship leading to significant overlooking and loss of privacy within the neighbouring gardens.

9. Similarly, the position of these windows would mean that occupiers would have direct views into internal spaces of neighbouring residential properties. I have not been provided with any detail of the exact spacing between openings, or any evidence of any adopted spacing standard. Nonetheless, the rear gardens are shallow in depth and this close-knit arrangement would mean that there would be perceived loss of internal privacy created by the close spacing of windows.
10. However, I would consider that the spacing from neighbouring openings would be sufficient to ensure that a significant loss of light to internal spaces is unlikely.
11. For the above reasons, the development would have a harmful effect on the living conditions of the occupiers of neighbouring dwellings with particular regard to overbearing, outlook and privacy. Therefore, the development conflicts with Policy PS10 of the City of Leicester Local Plan 2006 (the LP). This requires that development consider the amenity of existing residents having regard to matters including privacy. The development also conflicts with the provisions of the National Planning Policy Framework (the Framework) which requires, at paragraph 135, that decisions should ensure that development creates places with a high standard of amenity for existing users.

Living Conditions – Future occupiers

12. The open plan kitchen/living room of flat 1 would be served by a new opening positioned within the side elevation. This would directly face towards the flank elevation of No.49 Narborough Road. The window and adjacent wall would be separated only by the width of the narrow side alleyway. As such, views from the room would be towards a brick wall, in its entirety, and at a very close distance. Furthermore, the width of alley and the proximity and scale of the neighbouring building would mean that very little light would filter into the room. As such the kitchen/living room of flat 1 would have an extremely poor outlook, while the room would also likely receive a substandard level of light.
13. Both flats 2 and 4 would have windows constructed up to the rear boundary of the site. The rooms that these windows would serve would be visible from the residential properties immediately to the rear. Visibility would be from both internal and external spaces, and at very close proximity. As such, these direct and close views would be intrusive resulting in future occupiers having a substandard level of privacy. With regard to these rooms, I also note the Council's concern regarding outlook. However, these windows would have views over the generally open garden spaces and, as such, these rooms would not appear unduly enclosed by neighbouring built form. Therefore, I find that these rooms would likely have an acceptable level of outlook.
14. With regard to flat 3, this would be provided within the existing roof space. The Council raise concern with regard to the ceiling height within the loft flat (albeit citing flat 4). It is likely that ceiling heights in the bedrooms would be low in part. I do not have any sections to demonstrate what head height could be achieved in the

bedrooms of this flat. Therefore, I do not have sufficient information to conclude on this matter. Notwithstanding this, the openings serving the bedrooms would be small rooflights positioned low in the roof slope. Furthermore, the open plan kitchen/living room would be served by roof lanterns only. As such, the internal spaces of flat 3 would not benefit from any meaningful level of outlook.

15. The Council consider that the proposed access arrangements are not ideal and would lack any meaningful passive surveillance. I agree that the access arrangements are poor and this only adds to the substandard level of amenity that future occupiers of the development would be subject to. However, I do also acknowledge that the alleyway serves numerous other residential properties and that there are likely to be measures which could enhance security which, if I were minded to allow the appeal, could be secured by condition.
16. I also acknowledge that the flats would not be served by any external space. However, this is not an entirely uncommon arrangement for flats above a commercial premises. In this instance, I also note the sustainable location of the site with reasonably good access to nearby public greenspaces. Therefore, I do not find the lack of dedicated on-site external living space to be particularly unacceptable arrangement in this instance.
17. Notwithstanding my conclusions on some matters, for the reasons outlined above, the development would result in a substandard living environment for future occupiers of the development. The development would be harmful to the living conditions of future occupiers with particular regard to the provision of internal space, outlook, light, and privacy. Therefore, the development would be contrary to Policy PS10 of the LP. This requires that development consider the amenity of proposed residents, having regard to matters including privacy and overshadowing. The development also conflicts with the provisions of the Framework which requires, at paragraph 135, that decisions should ensure that development creates places with a high standard of amenity for future users.

Other Matters

18. I acknowledge that the development would deliver much needed housing and that the size of the properties could provide accommodation for single persons, couples or young families. The delivery of housing is a clear benefit of the development. However, such benefits would be limited only to the delivery of a small number of units, which would be insufficient to outweigh the permanent harms arising from the development.

Conclusion

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

D Cleary

INSPECTOR