



Appeal Decision

Site visit made on 22 January 2025

by **Ian McHugh DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 March 2025

Appeal Ref: APP/U4610/D/24/3352013

24 Lonscale Drive, Coventry, CV3 6NL

- 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 Gurpal Hayre against the decision of Coventry City Council.
 - The application Ref is PL/2024/0000784/HHA.
 - The development proposed is a second storey above existing single-storey rear extension.
-

This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 17 February 2025.

Decision

1. The appeal is allowed and planning permission is granted for a second storey above existing single-storey rear addition at 24 Lonscale Drive, Coventry, CV3 6NL in accordance with the terms of the application, Ref PL/2024/0000784/HHA, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers: A100 Rev 1; A101 Rev 1; A104 Rev 1; A105 Rev 1; and A106 Rev 1.
 - 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.

Main Issue

2. The main issue is the effect of the proposal on the occupants of number 26 Lonscale Drive (number 26), with regard to outlook.

Reasons

3. The appeal property is a detached two-storey dwelling with a single-storey rear extension. The extension covers the full width of the property. Lonscale Drive is located in a residential area, in which house types vary in terms of their scale and appearance. A number of dwellings have been altered and extended. These include the neighbouring properties at numbers 22 and 26. Number 22 has a two - storey side/rear extension and number 26 has a single-storey rear extension.

4. The appeal proposal is to construct a first-floor extension above the full width of the single-storey addition. It would have a hipped roof that would slope upwards away from the two neighbouring dwellings. The extension would contain a bedroom and a study.
5. The Council states that the proposal would be harmful to the living conditions of the occupants of number 26 because of increased overshadowing and visual intrusion. It cites a conflict with Policy DE1 of the Coventry Local Plan 2017 and with the guidance contained in its Supplementary Planning Document – Householder Design Guide (SPD). Policy DE1 seeks to ensure (amongst other things) that development proposals respect and enhance their surroundings. The SPD states that inappropriately designed extensions can result in loss of privacy, restrict outlook, be overbearing and overshadow adjoining properties (para 4.3). It goes on to advise that the depth of rear extensions should not exceed 4m or impinge on a 45-degree line drawn from the centre of the neighbour's closest habitable rear facing window.
6. The Council acknowledges that the extension would project less than the 4m recommended in the SPD, but it would breach a 45-degree line when drawn from the nearest rear facing first-floor bedroom window of number 26. The Council Officer's report states that the breach would be 580mm.
7. In reaching my decision, I have given weight to the guidance contained in the Council's SPD, but each case must be considered on its merits. Whilst there will be some impact on outlook and natural light, particularly in the early morning, I am not persuaded that impacts would be unacceptably harmful to the occupants of number 26, because of the relatively minor distance that the extension would impinge on the 45-degree guideline. Furthermore, the relationship would be similar to that between the appeal property and the extended number 22 and which does not appear unduly detrimental. Accordingly, I conclude that the proposal does not conflict with the Policy DE1 of the Local Plan.

Conditions

8. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard conditions relating to the time period in which to commence the development, I have also included a condition listing the approved plans. A further condition requiring the use of matching external facing material is also imposed, to ensure a satisfactory appearance.

Conclusion

9. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR