
Appeal Decision

Site visit made on 20 October 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday, 29 October 2020

Appeal Ref: APP/E9505/D/20/3257711

48 The Sidings, Norwich, NR1 1GA

- 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 Neil Bradford against the decision of The Broads Planning Authority.
 - The application Ref BA2020/0148/HOUSEH, dated 10 May 2020, was refused by notice dated 28 July 2020.
 - The development proposed is erection of external balcony to replace existing south facing Juliet balcony.
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Decision

1. The appeal is allowed, and planning permission granted for the erection of a balcony to replace the existing south facing Juliet balcony at No 48 The Sidings, Norwich, NR1 1GA in accordance with the terms of the planning application Ref BA2020/0148/HOUSEH, dated 10 May 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the plans numbered: PO1 Rev A, dated 9 May 2020; PO2 Rev B, dated 9 May 2020 and PO3 Rev A dated 9 May 2020.
 - 3) The development hereby permitted shall not be used until the 1.8 m high obscured glazed panel shown on plan No PO2 Rev B has been installed. The panel shall be retained in the approved location for the lifetime of the development.
 - 4) The external surfaces of the development hereby permitted shall be constructed from transparent glass balustrades (with the exception of the obscure glazed panel referred to in condition 3), steel framed platform and timber decking.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is a three-storey end of terrace house in a recent development. To the rear lies a railway line and to its side a large block of flats. The terrace is constructed of buff brick with timber cladding and some recessed panels. Some

- windows, both at the front and back of the terrace, have glass Juliet balconies with what appear to be steel fittings.
4. The balcony would not be visible from the front of the terrace, however it would be visible at the rear, from the neighbouring gardens and from the railway line. The balcony itself would be constructed from steel, timber and glass which would reflect the materials which are present on the terrace.
 5. The balcony would represent a minor addition to the rear of the terrace, projecting less than 1.5 m from the wall of the dwelling and being less than 3 m in width. Whilst a 1.8 m high screen has been added to the side of the balcony facing the neighbouring flat block, this does not materially increase its prominence, especially when viewed from the railway as the panel will be viewed 'end on' from this direction.
 6. The materials would be light weight, with the use of glass in the balustrades and steel to frame the balcony. Whilst timber would be used to provide the decking, this would not be widely visible away from the dwelling and its garden. The glass used to frame the decking on two sides, would allow the rear elevation of the dwelling to be viewed from both the railway line and the gardens of the neighbouring dwellings, through the proposed balcony.
 7. In view of the light weight and partially transparent nature of the materials from which it would be constructed, it would not unduly harm the uniformity of appearance of the terrace when viewed from either neighbouring gardens or the railway line. Moreover, the railway is at some distance from the rear elevation and this would further reduce the impact of the balcony on the uniformity of the terrace, when viewed from the trains.
 8. The appeal property is next to a large flat block which is significantly different to the terrace in terms of its design, size, scale, bulk and height. The block also projects further towards the railway line than the terrace. Given the substantially larger size, scale and bulk of the neighbouring flat block, its height and its relationship with the railway, the balcony would appear as an insignificant feature in comparison. As a consequence, this would help reduce the impact the proposed balcony would have in the wider area.
 9. Consequently, as a result of the materials from which it is proposed to be constructed, its small size and the relationship to neighbouring building the balcony would not be seen as an incongruous feature in the area nor would it harm the quality or uniformity of the terrace.
 10. The development plan includes the 'Local Plan for the Broads' 2015-2036 which was adopted in 2019. The policy DM43 requires, amongst other things, development proposals to complement the character of the local area and reinforce the distinctiveness of the wider Broads setting. It also requires the use of high-quality materials and detailing. The appeal proposal is consistent with the requirements of this policy as it would maintain the uniformity of the terrace, as explained above, and it would use similar materials to the main building, in particular those used to form the existing Juliet balconies. In this way the proposal would complement the character of the local area and is consistent with the policies of the development plan.
 11. It is important that as well as the standard conditions regarding time limits for the development to take place and referencing the approved plans, conditions

are imposed to ensure that the 1.8 m high screen is installed and retained and that materials match those used to form the existing Juliet balconies. This is necessary to protect the living conditions of the occupants of the neighbouring flat block, and that the proposed development is finished to a high quality and complements the development as a whole.

Conclusion

12. For the reasons given above the appeal is allowed.

Peter Mark Sturgess

INSPECTOR