



Appeal Decision

Site visit made on 1 February 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/P2935/D/21/3286426

1 Elfin Way, South Shore, Blyth NE24 3RQ

- 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 Sam Innes against the decision of Northumberland County Council.
 - The application Ref 21/02916/FUL, dated 20 July 2021, was refused by notice dated 15 October 2021.
 - The development proposed is addition of a balcony to the East facing gable elevation of the property, accessed from a new door on the first floor and primarily focused over the front half of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

The main issues are the effect of the proposal on the:

- Character and appearance of the host building and the area; and
- Public and nearby residents in respect of privacy.

Reasons

Character and Appearance

3. The appeal site is a detached dwelling in a modern housing estate. Due to its location on a corner site, the dwelling is prominent within the streetscape, including from the entrance road into the wider estate.
4. The proposal consists of inserting a door into the gable wall of the property which would serve a balcony at first floor level. Due to the use of slender

- supporting columns and a glass balustrade the structure would be of a relatively lightweight appearance.
5. However, the design and placement of the balcony is not representative of this estate. Due to its placement on a relatively featureless gable wall, the balcony would be readily apparent as an obtrusive and contrived feature with significant harm to the character and appearance of the host property and the streetscape. The asymmetric placement of the door and balcony within the gable would add to this incongruous appearance. This harm will be exacerbated further due to the prominent location of this corner site near to the entrance to the estate.
 6. Controls over the use of materials would do little to address the incongruous design and location of the proposal. Although the gable wall is relatively featureless above ground floor level, the proposal would not soften the appearance of the site or immediate area within the streetscape but would instead appear as an obtrusive addition.
 7. The appellant refers to a number of other balconies on this estate. However, based on what I have seen and read, these are 'Juliet balconies' which are not an unusual design feature of modern housing. These balconies are of a different form to the design and placement of the appeal proposal, and therefore do not justify a balcony of the type proposed. Indeed, the proposal would contrast uncomfortably with the prevailing design of balconies on this estate.
 8. The appellant also refers to a number of balconies on a development at Beachway. However, this group of dwellings is some distance away from the appeal site in a distinctly separate location. The dwellings on Beachway are also of an individual and unorthodox design. On that basis, those dwellings do not set a visual context for the design and location of the appeal proposal. In any event, I saw that some of the balconies at Beachway demonstrate the cluttered and incongruous appearance that can arise from balconies similar to the appeal proposal, including a balcony in a prominent location to the side of one of the dwellings.
 9. I conclude that due to its location and design, the proposal would lead to significant harm to the character and appearance of the host building and the area. The proposal would therefore be contrary to policies DC1 and DC28 of the Council's Development Control Policies 2007 (the DCP) with regards to being of a high standard of design which takes account of existing built features in the surrounding area and which is well related to the existing building.
 10. The proposal would also conflict with the National Planning Policy Framework (the Framework) as well as the National Design Guide and National Model Design Code which together seek to ensure well-designed places.

Privacy

11. Due to its elevated position, there is potential for the proposed balcony to enable an intrusive degree of overlooking of nearby properties. However, the location of the site is such that the balcony would look onto the blank gable of a nearby building as well as a bin storage building and parking area. The host dwelling would also block potentially intrusive views of neighbouring properties. The views from the balcony of properties on the opposite side of Elfin Way

would be no more intrusive than from existing windows. Even allowing for the increased angle of views which would be enabled by the balcony, due to the location of the proposal it would not lead to an intrusive degree of overlooking of residential properties or communal areas.

12. Similarly, the proposal would enable elevated views of the public realm, including the movements of pedestrians and vehicles. However, the overlooking would be no more intrusive than from existing windows and Juliet balconies in this part of the estate, or from open private amenity areas at street level.
13. I conclude that the proposal would not lead to harm to the privacy of nearby residents or the public. The proposal would therefore not conflict with the privacy or amenity requirements of policies DC1 and DC28 of the DCP. The proposal would also not conflict with the Framework as well as the National Design Guide and National Model Design Code in respect of achieving a high standard of amenity for existing and future users of land and property.

Other Matters

14. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.
15. Any benefits from the proposal with regard to deterring anti-social behaviour would not be sufficient to overcome the harm I have identified in respect of character and appearance.

Conclusion

16. Notwithstanding my conclusion in respect of privacy, the proposal would lead to significant harm to the character and appearance of the host building and the area. The proposal would therefore conflict with the development plan as a whole with regards to achieving a high standard of design for residential alterations and extensions. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR