



Appeal Decision

Site visit made on 24 May 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 June 2022

Appeal Ref: APP/P2935/D/22/3296072

28 Arkle Court, Alnwick, Northumberland, NE66 1BS

- 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 Brian White against the decision of Northumberland County Council.
 - The application Ref 21/02853/FUL, dated 30 June 2021, was refused by notice dated 12 January 2022.
 - The development proposed is described as a "first floor balcony at rear of house. Balcony was erected in 2019 as substitute for "Juliet" balcony approved with scheme granted planning permission ref A/0376/2004".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The balcony has already been constructed and consent is sought retrospectively. I have determined the appeal on this basis.
3. The Northumberland Local Plan 2016-2036 was adopted in March 2022 and consequently is the development plan for the determination of this appeal. As a result of the similarity of the objectives of the relevant policies in the old and new Local Plan, I am satisfied that no party is disadvantaged.

Main Issue

4. The main issues are:
 - i. The effect of the proposed development on the living conditions of the occupiers of neighbouring properties with particular regards to privacy and the occupiers of 29, 30 and 31-34 Arkle Court and 12 and 14 Fullers Walk.
 - ii. The effect of the proposed development on the character and appearance of the area.

Reasons

Living Conditions

5. The appeal property is modern dwelling located on an estate of similar properties, creating a tight-grain and compact form of development.
6. I saw at the site visit that the balcony, at a first-floor level is of a sufficient size to accommodate a table and chairs and is located such that users of the

balcony are afforded views over and into the rear gardens of adjacent properties to a significantly greater degree than otherwise possible.

7. Consequently, the use of the balcony results in a significant loss of privacy for the occupiers of neighbouring properties, in particular for the occupiers of 29, 30 and 31-34 Arkle Court and 12 and 14 Fullers Walk.
8. Thus, the appeal scheme is contrary to Policies QOP1 and QOP2 of the Northumberland Local Plan and Policy H5 of the Alnwick and Denwick Neighbourhood Plan, that amongst other matters, seek to protect the living conditions of the occupiers of neighbouring properties.

Character and Appearance

9. By virtue of the location of the appeal property at the end of a short terrace of properties, adjacent to a walkway and back onto a cul-de-sac the first-floor balcony is visible from a range of public viewing points and neighbours' private gardens.
10. I saw at the site visit that other properties in the area had been the subject of a variety of extensions and alterations. I did not however note any similar or comparable extensions to that proposed here. The appellant has drawn my attention to balconies on the property on Weavers Court, this is a new build property of a considerably different character and appearance and I noted that the balconies overlooked communal areas rather than private space.
11. The balcony appears as a not insubstantial structure and as a notable feature on the rear elevation of the property despite the limited screening of the rear extension and use of glass.
12. For the reasons detailed above I find that the balcony appears as a prominent and incongruous feature within the local area. Thus, the appeal scheme harms the character and appearance of the area contrary to policies QOP1 and QOP2 of the Northumberland Local Plan and Policy H5 of the Alnwick and Denwick Neighbourhood Plan that, amongst other matters, requires that new development is of a high standard of design and preserves the character of the area

Other Matters

13. I note that the Alnwick Town Council response did not raise any objection to the application, nor did any neighbours. However, the absence of such objections in this instance does not outweigh the harm I have previously identified.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR