



Appeal Decision

Site visit made on 15 August 2024 by J Reed MPlan

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2024

Appeal Ref: APP/P2935/D/24/3346070

34 Shaws Park, Hexham, Northumberland NE46 3BJ

- 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 Mrs Rhiannon Robinson against the decision of Northumberland County Council.
 - The application Ref is 24/00588/FUL.
 - The development proposed is described as the 'removal of porch and erection of a single storey extension at the front of the house, with a balcony at first floor level.'
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Decision

1. The appeal is allowed, and planning permission is granted for development described as the 'removal of porch and erection of a single storey extension at the front of the house, with a balcony at first floor level' at 34 Shaws Park, Hexham, Northumberland NE46 3BJ in accordance with the terms of the application, Ref 24/00588/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Front Elevation, Location Plan, Proposed Side Elevation (West), Proposed Lower Ground Floor Plan, Proposed Upper Ground Floor Plan and TQRQM24049144739237.
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 35 Shaws Park with specific regard to privacy.

Reasons for the Recommendation

4. The appeal scheme would comprise of adding the balcony into the recessed section of the front of the appeal building, which is a staggered gable. Since No 34 is set slightly forward of No 35, it will be possible to gain a view of the first floor windows from said balcony. This would however be a very oblique view and for which one would have to lean out over the balustrade in an unnatural

position. Given also the balcony would be principally facing forwards over the roofs of opposite dwellings and north across the valley, it is highly unlikely users would choose to look towards No 35 in any event. In terms of sideways views from the balcony, this would be mainly over the front elevation, front garden and driveway of No 35 which is otherwise exposed to the public realm where one's expectation of privacy would be very limited.

5. I accept that there may, to a small degree, be a perception of being overlooked for neighbouring users of the rooms served by the upper floor windows of No.35. However, and for largely the same reasons above, users would have to intentionally position themselves to the edge of the balcony, directly adjacent to No 35. This is unlikely to occur with users view funnelled to the north.
6. For this and the above reasons, I am not persuaded that, although the balcony does undoubtedly create opportunities for limited views of No.35's windows, any additional impact would not be so significant as to be unacceptable in the existing context. As a result, the proposal would comply with Policies of QOP 2 and HOU 9 of the Northumberland Local Plan 2021, which aim to safeguard the living conditions and privacy of neighbouring occupiers amongst other things.

Conditions

7. Time limit and plans conditions are necessary and reasonable in order to provide certainty and for enforcement purposes. A condition requiring matching materials is necessary in the interests of good quality inclusive design.

Conclusion and Recommendation

8. The appeal scheme would comply with the development plan and there is nothing sufficiently compelling to indicate otherwise. I therefore recommend the appeal be allowed, subject to the conditions stated.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the conditions set out above.

John Morrison

INSPECTOR