



Appeal Decision

Site visit made on 21 August 2025

by **Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 September 2025

Appeal Ref: APP/P0240/D/25/3368757

83B The Old Timber Yard, Greenfield Road, Flitton, Central Bedfordshire MK45 5DR

- 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 Mr Karl Smith against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/01006/FULL.
 - The development proposed is a first floor balcony above a ground floor pergola.
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor balcony above a ground floor pergola at 83B The Old Timber Yard, Greenfield Road, Flitton, Central Bedfordshire MK45 5DR in accordance with the terms of the application, Ref CB/25/01006/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 and 002.

Main Issue

2. The main issue is the effect on the living conditions of neighbouring residential occupiers.

Reasons

3. The appeal dwelling is a detached three storey house with a good sized rear garden. It is neighboured on either side by similarly scaled properties. From my site visit it is apparent that the proposal for a first floor balcony above a ground floor pergola at the rear of the appeal dwelling has commenced, with the pergola part of the proposal having been implemented.
4. The complete pergola and balcony structure, as proposed, would be the full width of the projecting rear element of the appeal dwelling and would be approximately 5.7 metres in width. The pergola element of the proposal projects approximately 5 metres from the rearmost part of the appeal dwelling. The proposed first floor balcony element of the proposal would be the same width as the pergola but would only project approximately 1.7 metres from the rearmost part of the appeal dwelling. The balcony would be accessed from a first floor bedroom. It would have a glazed balustrade to the rear with approximately 2 metres tall obscured glazed panels to either side.

5. The proposed full height obscured glazed panels would significantly reduce the potential for overlooking of the neighbouring properties at 83A and 85 Greenfield Road (No.s 83a and 85) and would obstruct views back towards the windows of these neighbouring dwellings. The views from the proposed balcony would be of the rear garden spaces of the neighbouring dwellings. However, due to the proposed obscured glazed screens and the separating distances between the appeal dwelling and No.s 83a and 85 this overlooking of neighbouring properties would not, however, include overlooking of that part of the gardens of No.s 83a and 85 that are nearest to the rear of the neighbouring dwellings.
6. The views out from the proposed balcony would be limited to the rear part of the rear gardens of these neighbouring properties. These views would not afford a degree of overlooking that would be significantly greater than that already possible from the rear windows and first floor Juliet balcony of the appeal dwelling.
7. Given the limited rearward views afforded by the proposed balcony and the orientation of the balcony in relation to neighbouring dwellings, I find that the proposal would not result in a degree of overlooking of garden space above that to be reasonably expected in a developed residential area of this type. As such, I do not find that the proposal would result in overlooking resulting in any significant loss of privacy for neighbouring residential occupiers and would accord with the design guidance for the development of first floor balconies given at Paragraph 11.33.11 of the Central Bedfordshire Design Guide (2023)
8. For the reasons given the proposal would not result in any harm to the living conditions of neighbouring residential occupiers and would therefore accord with Policy HC1 of the Central Bedfordshire Local Plan (2021). This seeks development that, amongst other matters, does not have an adverse impact on amenity or privacy of existing nearby uses, including residential.

Conditions

9. As the proposed development has already commenced, with the construction of the pergola element of the proposal, I have not included a condition relating to the timing of implementation. In the interests of good design and maintaining the privacy of neighbouring residential occupiers, I have attached a condition requiring compliance with approved plans.

Conclusion

10. For the reasons given, the appeal is allowed.

Victor Callister

INSPECTOR