



Appeal Decision

Site visit made on 24 September 2025

by **Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 01 October 2025

Appeal Ref: APP/D3830/D/25/3369421

71 Cantelupe Road, East Grinstead, West Sussex, RH19 3BL

- 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 Guy Mcquade against the decision of Mid Sussex District Council.
 - The application Ref is DM/25/0513.
 - The development proposed is retrospective permission for rear first floor balcony.
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Decision

1. The appeal is allowed and planning permission is granted for erection of rear first floor balcony at 71 Cantelupe Road, East Grinstead, West Sussex, RH19 3BL, in accordance with the terms of the application Ref DM/25/0513 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, block plan and existing and proposed elevations and floor areas revision 2.
 - 2) The privacy screen shown on the submitted drawing existing and proposed elevations and floor areas (revision 2), shall be erected within two months following the date of this consent. It shall remain and be retained in situ thereafter.

Main issue

2. I consider that the main issue in this case is its effect on the living conditions of neighbouring residents.

Reasons

3. 71 Cantelupe Road is a two storey detached house in an established residential area. The balcony the subject of this appeal has already been constructed. The Council has not raised an objection to it in terms of its design or impact on the character and appearance of the area, and I see no reason to disagree with this view.
4. The relevant policies in this case include DP26 of the Mid Sussex District Plan 2014-2031 (the District Plan) and EG3 of the East Grinstead Neighbourhood Plan 2016 (the Neighbourhood Plan) which, among other things, require development to not cause harm to the amenities of nearby residents. The Council's Supplementary Planning Document *Design Guide* 2020 (the SPD) sets out detailed advice on design matters, including balconies at residential properties.

5. The balcony is at first floor level, adjacent to a first floor bedroom, and is of timber, on timber supports with a timber surround. It serves as an outside space related to the adjacent bedroom. Its size and location are such that it allows for some overlooking of the neighbouring properties on either side. No. 67-69 is an Orthodontic Centre, and I consider that the proposed privacy screen along the southern side would mitigate overlooking of the side windows of the Centre which face the balcony.
6. The balcony overlooks the rear garden of No. 73 to a somewhat greater extent than is the case from the bedroom window, because of its projection towards the rear garden of No. 71. However, I consider that this is not significantly worse than the overlooking from the other ground and first floor windows in No. 71. I note that there is no boundary wall or fence between No. 71 and 73, and that their gardens appear to be treated as one single amenity space. I consider that the balcony provides useful additional outside amenity space for the property.
7. I conclude that the balcony does not harm the living conditions of the occupants of neighbouring properties, and that it is consistent with policy DP26 of the District Plan, EG3 of the Neighbourhood Plan, and the SPD.
8. For the reasons given above, the appeal is allowed.

Conditions

9. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. The development has already been carried out, but the conditions relating to the plans are necessary to ensure that the privacy screen is provided, in order to safeguard the amenities of the neighbouring property.

PAG Metcalfe

INSPECTOR