



Appeal Decision

Site visit made on 17 November 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 15 December 2025

Appeal Ref: APP/W4515/W/25/3372327

5 Parkside, Tynemouth, Tyne and Wear, NE30 4JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Ian Angus against the decision of North Tyneside Council.
 - The application, Ref 25/00604/FULH, dated 4 June 2025, was approved on 24 July 2025 and planning permission was granted subject to conditions.
 - The development permitted is a canopy over front door and garage, usage of existing flat roof garage as balcony and addition of glass balustrading.
 - The condition in dispute is No 3 which states that: Notwithstanding the submitted plans, prior to the enlarged first floor balcony being brought into use, privacy screens (to an obscenity of level 3 or above) shall be installed at the east and south ends/elevations of the first floor balcony. These shall extend to 1.8m in height along the full projection of the balcony, tapering down in height 0.7 metres from the north east corner where it meets the front balustrade. Details of the privacy screen including materials and method of fixing shall be submitted and agreed in writing with the Local Planning Authority, installed in accordance with the agreed details and thereafter retained as such.
 - The reason given for the condition is: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).
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Decision

1. The appeal is allowed and the planning permission Ref 25/00604/FULH for a canopy over front door and garage, usage of existing flat roof garage as balcony and addition of glass balustrading at 5 Parkside, Tynemouth, Tyne and Wear NE30 4JN, granted on 24 July 2025 by North Tyneside Council, is varied by deleting Condition No 3 and substituting the following Condition:

3) Notwithstanding the submitted plans, prior to the first floor balcony being brought into use, privacy screens (to an obscenity of level 3 or above unless an alternative form of screen is agreed in writing by the Local Planning Authority) shall be installed along the parapets A-B-C-D as shown on the accompanying plan to a height of 1.8 metres above finished balcony deck level, tapering down in height 0.7 metres from the north east corner where it meets the front balustrade. Prior to erection, details of the privacy screens including materials and method of fixing shall be submitted to and approved in writing by the Local Planning Authority. The screens shall then be installed in accordance with the approved details and retained at all times thereafter. The 'Upper Flat Roof' as shown on the accompanying plan shall not be used at any time as part of the balcony.

Reason: To protect the privacy and amenity of the bedrooms of No 12 Grand Parade from users of the balcony having regard to Policy DM6.2 of the North Tyneside Local Plan (2017).

Main Issue

2. The main issue is the nature and extent of the privacy screens necessary to protect the privacy of the bedrooms of No 12 Grand Parade.

Reasons

3. Planning permission was granted in July 2025 for the use of the flat roof over the garage to the side of No 5 Parkside as a balcony, providing as it does views to the north-east over the North Sea. However, without privacy screens the position of the balcony allows views directly through the curving bay window of Bedroom 1 and into the side window of Bedroom 2 of the adjacent detached house No 12 Grand Parade. These windows are only a few metres away from the balcony and suitable privacy screens are thus essential to protect the privacy of the occupiers of No 12 when the balcony is in use. It is said that views are not possible *into* Bedroom 1, only *through* the projecting bay window area to the sea beyond, but the occupiers are equally as entitled to privacy when using the bay window area as the remainder of the bedroom.
4. The appellant argues that the requirement in Condition 3 for the privacy screens to be an obscenity of level 3 or above is unnecessarily prescriptive as there are a variety of types of screen available, including porous and louvred screens, which may be equally suitable to prevent views into Bedrooms 1 and 2 whilst allowing better views of the sea to the north-east. This may be the case. The condition rightly requires the details of the screens to be submitted to and approved in writing by the local planning authority prior to erection but the wording can be amended to allow alternative types of screen to be considered if they are equally fit for purpose to protect the privacy of the bedrooms in No 12.
5. The condition commences 'Notwithstanding the submitted plans..' indicating that the details of the screens shown are not approved without a further submission. The phrase 'east and south ends/elevations' of the balcony is unduly imprecise and insufficient to protect the privacy of No 12. It should be replaced by screens 'along the parapets A-B-C-D as shown on the accompanying plan.' The door previously providing access to the garage roof for maintenance purposes is glazed but use as a balcony will significantly increase the use of this door and allow ready access to position E where there are clear views into the window of Bedroom 2. A privacy screen is thus necessary from C to D for as far as needed to prevent views from position E, just outside the door, into Bedroom 2. Use of the upper flat roof as part of the balcony should also be precluded as this would prejudice privacy in Bedroom 2. Finally, in the interests of precision, to ensure privacy the screens should be 1.8 m high above finished balcony deck level.

Conclusion

6. For these reasons the appeal should be allowed and a revised Condition No 3 substituted to potentially provide for alternative types of screening¹, to specify more precisely where screens are required and their height, and also to preclude use of the upper flat roof as part of the balcony.
7. This decision is accompanied by an explanatory plan showing parapets A-B-C-D, position E, the upper flat roof and the windows of bedrooms 1 and 2.

David Reed

INSPECTOR

¹ Which could potentially differ for each section of screen.