



## Report to West Area Planning Committee

---

<b>Application Number:</b>	20/06626/FUL
<b>Proposal:</b>	Householder application for construction of first floor balcony to front
<b>Site Location:</b>	19 Mendip Way High Wycombe Buckinghamshire HP13 5TE
<b>Applicant:</b>	Mr M Hussain
<b>Case Officer:</b>	Judith Orr
<b>Ward(s) affected:</b>	Downley
<b>Parish-Town Council:</b>	High Wycombe Town Unparished
<b>Date valid application received:</b>	2nd July 2020
<b>Statutory determination date:</b>	27th August 2020
<b>Recommendation</b>	Application Permitted

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 This application is to build a balcony at first floor level below a front bedroom window. This is considered acceptable in principle.
- 1.2 The application property is set on a steep slope and so the proposed balcony, positioned at the front of the house, would be clearly visible from the street. The proposed balcony is considered to maintain an acceptable level of amenity for neighbouring residential properties in terms of privacy and outlook.
- 1.3 The applicant is Mr Mohammed Hussain. The application is before the Committee as the property belongs to his father, local Member, Councillor Mr. M Hussain.
- 1.4 The application is recommended for approval.

### 2.0 Description of Proposed Development

- 2.1 No. 19 Mendip Way is an end terrace in a staggered row of five dwellings. It is built of brick and has a pitched roof. The property has already had a two storey extension constructed at the front of the dwelling and has parking on the driveway for 4 vehicles. The application site slopes up from the front to the rear with the surrounding area sloping down considerably from the north to the south.

- 2.2 This application is to build a balcony on the front bedroom at first floor level. The balcony is proposed to project forward by 1.6 metres and have a width of 2.6 metres and a height of 1.2 metres and would be of steel construction.
- 2.3 The property is located in an established residential area and is surrounded by properties of a similar style and design.
- 2.4 The application is accompanied by an Ecology and Trees checklist

### **3.0 Relevant Planning History**

- 3.1 93/06668/FUL - 2-Storey Front Extension – Permitted (09.12.93)
- 3.2 01/07185/FUL - Construction of two storey front extension – Permitted (05.11.01)
- 3.3. 06/05783/FUL - Insertion of dormer window to front in connection with loft conversion and gable roof to create open porch – Refused (22.06.06)
- 3.4 06/07721/FUL - Insertion of dormer window to front in connection with loft conversion and gable roof to create open porch – Permitted

### **4.0 Policy Considerations and Evaluation**

#### **Principle and Design of Development**

ALP: CP9 (Sense of Place), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM34 (Delivering Green Infrastructure and Biodiversity in Development) DM35 (Placemaking and Design Quality), DM36 (Extensions and Alterations to Existing Dwellings)

Additional Guidance: Householder Planning and Design Guide SPD, Buckinghamshire County Parking Guidance

- 4.1 The application property is set on a steep slope and so the proposed balcony, positioned at the front of the house, would be clearly visible from the street. No other balconies exist on the front of properties in this street and so this would represent a new external feature in this vicinity. However, the feature will not detrimentally harm the character or appearance of the area.
- 4.2 The adopted Householder Planning and Design Guide SPD clearly sets out that: “alterations to include a balcony ...will not be acceptable where they are likely to impact on privacy of neighbouring properties” and so this issue is of critical importance in considering this application.

#### **Transport matters and parking**

ALP: CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation), Buckinghamshire Countywide Parking Guidance

DSA: DM2 (Transport requirements of development sites)

- 4.3 This application would not result in any increase in the number of rooms and consequently would not impact on the parking requirements at the property.

#### **Amenity of existing and future residents**

ALP: DM35 (Placemaking and Design Quality), DM40 (Internal space standards)

- 4.4 This proposal will result in additional amenity space being provided at the application property.

- 4.5 The location of this property, at the end of a terrace of staggered dwellings, means that this property is set forward of its immediate neighbours and consequently the erection of the balcony will not adversely affect the privacy, light levels or outlook of the adjoining neighbouring properties.
- 4.6 In addition, the application property slopes up from the front to the rear with the surrounding area sloping down considerably from the north to the south. This means that the outlook from the balcony will be over the roofs of the properties across the street and consequently there will not be a significant loss of privacy for these dwellings.

### **Green networks, biodiversity and infrastructure**

ALP: CP7 (Delivering the infrastructure to support growth), DM34 (Delivering Green Infrastructure and Biodiversity in Development)

DSA: DM11 (Green networks and infrastructure), DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance), DM14 (Biodiversity in development)

- 4.7 Policy DM34 requires all development to protect and enhance both biodiversity and green infrastructure features and networks both on and off site for the lifetime of the development.
- 4.8 In this case, given the limited scope of the proposal, enhancement is not considered necessary.

## **5.0 Weighing and balancing of issues / Overall Assessment**

- 5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications / agents of any issues that may arise in the processing of their application.

6.3 Due to Covid-19 2020 the site visit which took place did not go into the dwelling but only looked at the outside of the building and its immediate surroundings. However given the location and existing photographic evidence, plans and planning history the application could be determined in this instance.

## **7.0 Recommendation**

### **Permission. Subject to the following conditions and informative:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).
  
2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers DRG.01 and DRG.02; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

### **INFORMATIVE**

In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

Due to Covid-19 2020 the site visit which took place did not go into the dwelling but only looked at the outside of the building and its immediate surroundings. However given the location and existing photographic evidence, plans and planning history the application could be determined in this instance.

