

A01

FH/TH/19/0102

PROPOSAL: Retrospective application for the erection of decking to rear

LOCATION: 28 Southwood Road RAMSGATE Kent CT11 0AA

WARD: Nethercourt

AGENT: Mr John Lowden

APPLICANT: Mr J Ashurst

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby approved shall be in accordance with the submitted drawing numbered 229-4 received 28 January 2019.

GROUND:

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

28 Southwood Road is a large double fronted, two storey detached Victorian property, set within a good sized plot. The surrounding area is characterised by two storey detached, semi-detached and terraced Victorian properties of varied sizes and designs.

RELEVANT PLANNING HISTORY

FH/TH/16/1033 - Erection of single storey rear extension together with decking area to rear - Withdrawn 19/09/16

PROPOSED DEVELOPMENT

The application relates to the rear garden of 28 Southwood Road, for the retrospective erection of a rear deck.

The rear deck extends from the bi-folding doors to the east of the rear elevation. The deck comprises a stepped element of 3 steps to the east of the existing two storey rear projection, to provide access to and from the bi-folding doors. The stepped element of the rear deck extends a maximum height of approximately 0.7m above the ground level. The deepest step to the top of the steps measures approximately 0.7m in depth, and the remaining steps measure approximately 0.4m.

The remainder of the rear deck projects approximately 3.3m in depth from the stepped element, of a height of approximately 0.27m, as measured on site. There is a planter to the east of the deck, adjacent to the eastern side boundary.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006 (Saved Policies)

D1 - Design Principles

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted near the site. One letter of objection has been received. The letter raises the following concerns:

- The decked area was erected without consultation or planning permission.
- The decked area directly overlooks our rear garden and results in a loss of privacy and harm to residential amenity.
- The top platform of the deck is deep enough to accommodate chairs, which the applicants use to sit out.
- Standing or sitting on the top platform affords uninterrupted views into our rear garden and our dining room and courtyard garden.
- The decking area is high, and the screening that would be required to prevent overlooking would itself incur an unacceptable impact upon our light and outlook.
- The decking area has been built over a manhole which now has little accessibility.
- The method of construction of the deck causes stagnant water to build up underneath the decking, providing a breeding ground for mosquitoes.
- Persons using the decking results in a noise nuisance.

CONSULTATIONS

Environmental Health - I have reviewed the history of the area and Environmental Health has no records of complaints concerning mosquitoes. The known areas of breeding mosquitoes are the salt marshes at Cliffsend and Pegwell. This area of Ramsgate is not a known breeding ground.

From the photographs the area looks to be on a concrete base which may allow small amounts of water to accumulate. On consideration this would not result in Environmental Health seeking further drainage of the area unless this resulted in a public health concern.

COMMENTS

This application is brought to Planning Committee, as it has been called in by Councillor Campbell due to concerns that the proposed development will result in overlooking, and intrusion of the adjacent property.

The main considerations with regard to this application are the impact of the proposed development on the character and appearance of the area and the residential amenity of neighbouring property occupiers.

Character and Appearance

The decking, by virtue of its modest height and siting to the rear of the property is not visible from the public realm and as such does not result in harm to the character and appearance of the area.

The rear deck is therefore considered to be acceptable in terms of the visual amenity of the area, in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

Given the siting and modest height of the rear deck, the proposed development is not considered to result in harm to residential amenity in terms of a loss of light/outlook or sense of enclosure deriving from the built form.

The stepped element of the rear deck extends a maximum height of approximately 0.7m above the ground level. The deepest step to the top of the steps measures approximately 0.7m in depth, and the remaining steps measure approximately 0.4m. Given the modest depth of these steps, it is considered that this element of the deck will be used for access to and from the dwelling and does not encourage the congregation of people or the siting of tables and chairs for any length of time. As such, this element of the rear deck is not considered to result in significantly harmful overlooking to adjacent neighbours.

The remainder, and majority, of the rear deck extends a height of approximately 0.27m above ground floor level. This modest height of the majority of the rear deck is not considered to materially exceed the ground level of the garden. Decking of a height of 0.3m or less above ground level constitutes permitted development. The rear deck falls below this height, which therefore provides a fallback position for this element of the development. In addition, given the modest height of the decking, and the provision of boundary treatment to the eastern boundary, views from the rear deck to the adjacent neighbour are screened by the existing boundary treatment. The rear deck is therefore not considered to result in significantly harmful overlooking to the private amenity spaces of the adjacent neighbour to the east.

The rear deck will retain approximately 5.8m separation distance to the western boundary. The provision of boundary treatment to the west, together with the separation distance and the modest height of the deck is again not considered to result in significantly harmful overlooking to the adjacent neighbour to the west.

Noise associated with the use of domestic rear gardens associated with dwellings, is an established situation within residential neighbourhoods. Given the modest height of the rear decking above the existing ground level, it is not considered that the use of the deck would be distinguishable from the use of a patio or grassed area. The use of the rear deck is

therefore not considered to result in significant harm to residential amenity with regards to noise disturbance.

The proposed development is therefore considered to be acceptable in terms of the impact upon the living conditions of the adjacent neighbours, and in accordance with Policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Other Matters

- Mosquitos

Concern has been raised by residents regarding the construction of the decking, which is stated to result in stagnant water forming a breeding ground for mosquitoes. Environmental Health have been consulted and advise that this area of Ramsgate is not a known area of breeding mosquitoes, and following consideration of the application, Environmental Health would not seek further drainage of the area. The decked area is modest in size, and the small amount of water which may accumulate is not considered to result in material harm with regards to the creation of a breeding ground for mosquitoes.

- Drainage

Concern has been raised that the rear deck has been built over a manhole and a photo has been provided which illustrates this. The applicants have confirmed that the rear deck has been built to include a removable panel to allow access to the manhole. This is considered to allow sufficient access to the manhole if required, and is therefore not considered to result in drainage concerns.

CONCLUSION

The proposed development is considered to be acceptable in terms of the character and appearance of the area, and is not considered to result in significant harm to the living conditions of adjacent neighbouring property occupiers, in accordance with Policy D1 of the Thanet Local Plan and the NPPF. It is therefore recommended that Members approve the application, subject to safeguarding conditions.

Case Officer

Jenny Suttle

TITLE: FH/TH/19/0102

Project 28 Southwood Road RAMSGATE Kent CT11 0AA

Scale:

