

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 14/01194/FULL6

**Ward:**  
**Biggin Hill**

**Address :** 28 Sutherland Avenue Biggin Hill TN16  
3HE

**OS Grid Ref:** E: 541956 N: 158589

**Applicant :** Mr Roy Stacey

**Objections : NO**

**Description of Development:**

Timber decking at rear  
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency

**Proposal**

Permission is sought for the retention of an area of decking immediately to the rear of this property. The area of decking measures 9.4m wide and 3.8m deep, and is 1.2m high with balustrading above.

**Location**

This detached two storey property is located on the south-western side of Sutherland Avenue, and was built around 10 years ago (under ref. 03/03179). This part of Sutherland Avenue has a staggered building line, with No. 30 to the south set further back in its plot, whilst No. 26 to the north is set further forward.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from the adjoining residents at No. 30 in support of the application. They state that the decking was built at the same time as the house (10 years ago), and that it has not caused them any problems.

**Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
H8 Residential Extensions

### **Planning History**

An Enforcement Notice was issued requiring the decking to be reduced in height to 0.3m by 6th December 2012. No appeal was lodged and the Notice was not complied with, and the matter was referred to the Council's legal department for prosecution in February 2013.

A Certificate of Lawfulness for the Existing Development was submitted in August 2013 (ref. 13/02926), but was refused in November 2013 on the grounds that the decking was in contravention of the provisions of an effective Enforcement Notice.

### **Conclusions**

The main issues in this case are the effect of the decking on the character of the area and on the amenities of the occupants of neighbouring residential properties.

The decking is confined to the rear of the property, and does not have a detrimental impact on the character and appearance of the surrounding area.

With regard to the impact on neighbouring properties, the decking is set back 1.8m from the side boundary with No. 26, and 2.15m from the side boundary with No. 30, and both boundaries have high fencing including trellising above.

The proposals are not, therefore, considered to result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

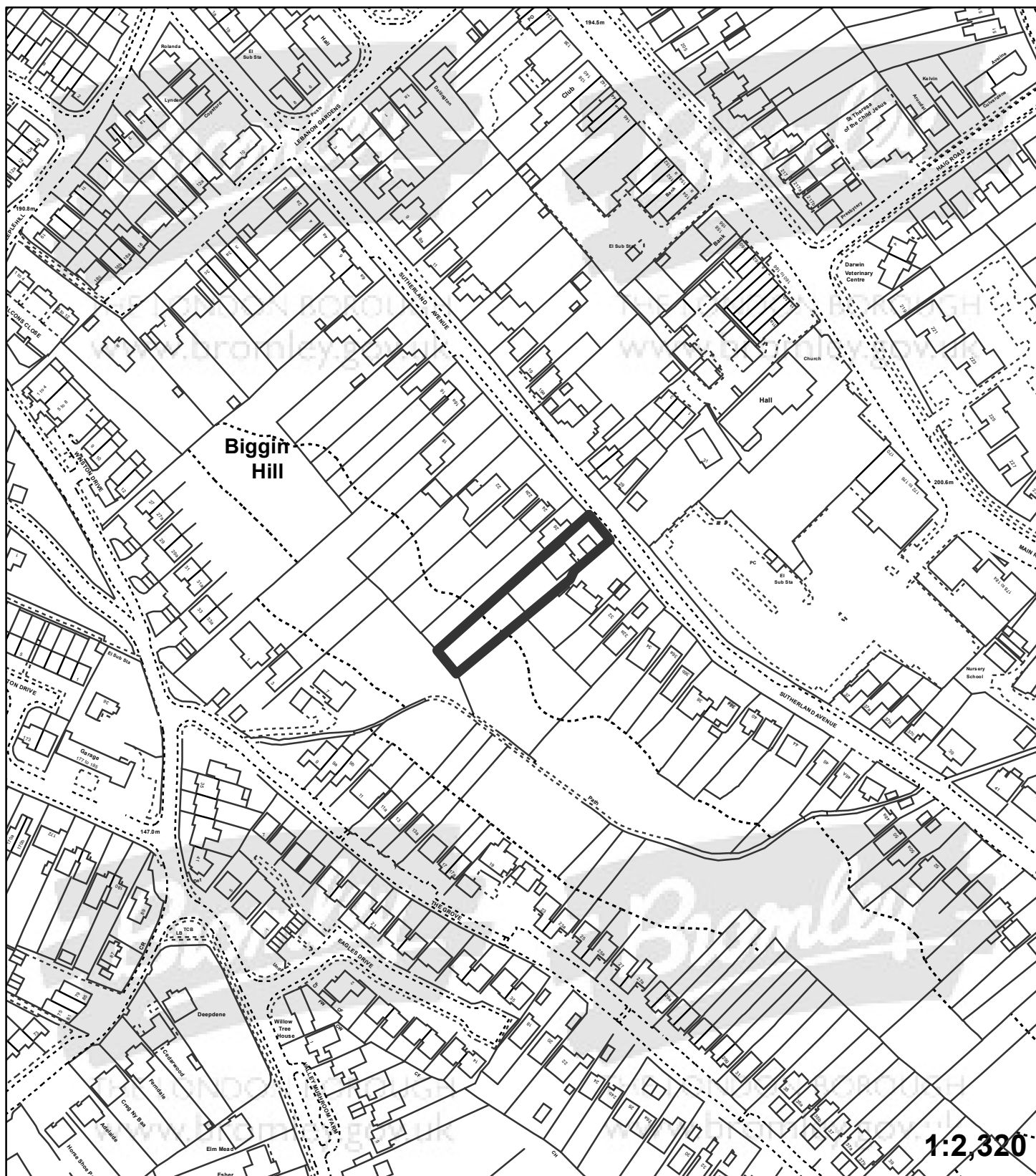
#### INFORMATIVE(S)

- 1 Further recommendation: Authorisation is sought to withdraw the Enforcement Notice.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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