

Statutory requirements

This bulletin considers the planning and building control requirements of Local Authorities applicable to timber deck structures.

The information contained in this document is intended for general guidance and relates specifically to residential decks for private use.

For all commercial and public access deck structures, the Local Authority should always be consulted at an early stage of the project.

This bulletin is part of a series of publications produced by the TDA aimed at promoting the general good practices necessary for the construction of quality timber decks.

INTRODUCTION

Although timber decks have been popular in other countries for decades, they were relatively rare in the UK until the late 1990's. As a result, decking has not been referred to specifically in existing statutory control documentation until 2008.

Traditionally, the construction of timber decks is usually considered under the planning and building control procedures that apply to the construction of private patios, terraces, and pool surrounds.

As such, deck structures are often considered to be exempt from planning regulations. This is not always the case. There are a number of specific instances where consent is required prior to building a patio, terrace or deck and these are set out in Table 1.

Serious consequences can result if these requirements are not observed. For example, the Local Authority can insist that structures be dismantled and removed where consent should have been obtained, but was not.

Whilst it is possible to make a retrospective planning application, they are rarely successful unless special circumstances apply.

The guidance in this document relates to the planning regime for England. Policy in Wales, Scotland and Northern Ireland may differ. If in doubt consult your local authority.

PLANNING PERMISSION

Timber decks differ from conventional patios and terraces most significantly in their elevation and general height of construction.

For all but the simplest, low-level garden deck, (under 300mm in height) property owners should satisfy themselves that planning regulations do not apply to their proposed structure.

In addition to contacting the Local Authority, neighbours who may be affected by the structure should also be informed. Neighbour objections are the most usual reason for planning refusal or restriction.

The instances where it is known that planning consent will apply are set out in Table 1.

TABLE 1

When planning consent is required

Where the deck is situated within 20 metres line of sight of a highway.

Where the deck is more than 300mm (1ft) from the ground.

If the structure or its use would affect the amenity value or privacy of neighbouring properties.

If the deck is attached to a listed building or situated in a conservation area or National Park.

How timber decking can help deliver sustainable drainage

Permeable surfaces play a valuable role in sustainable drainage, a concept used to better manage rainwater.

SuDS (sustainable drainage systems) are used to protect from flooding and to help keep draining water and marine environments clean. By not letting rainwater enter the sewer – or by slowing down its entry – permeable surfaces help reduce flooding and pollution.

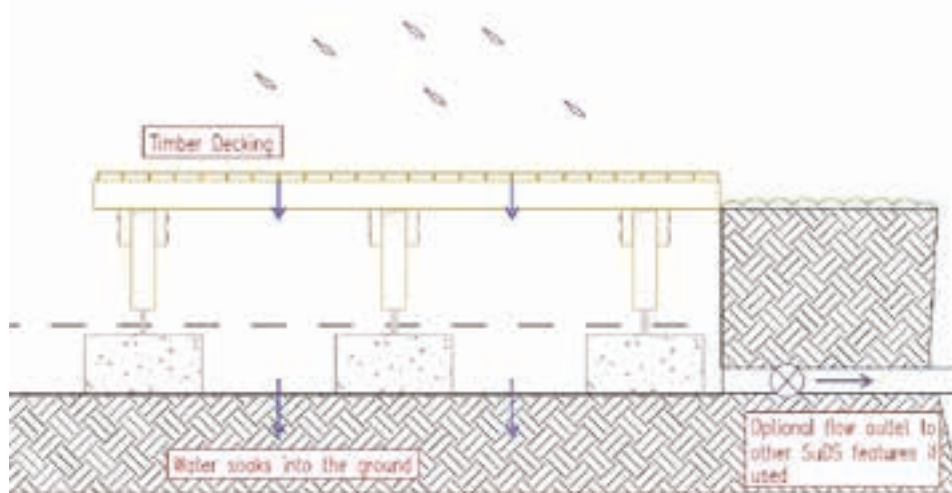
Permeable surfaces come in different forms from gravel to porous tarmac but the top surface is only the start of the story. What happens underneath the surface layers is critical to the permeable surface functioning properly.

Timber decking is a good example of a permeable surface as its voided surface allows water to pass through. The sub-structure can be built on a well compacted, permeable sub-base, providing opportunities for infiltration (where appropriate) or conveyance to further SuDS features along the management train.

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FIGURE 1: EXAMPLE OF A TIMBER DECKING SCHEME



Permeable surfaces are just one of the techniques used in SuDS. For more information on the benefits of SuDS visit www.susdrain.org

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