

COMMITTEE: DEVELOPMENT CONTROL

DATE: 2ND FEBRUARY 2005

SUBJECT: 9 CORNEL CLOSE. ERECTION OF SINGLE STOREY
REAR EXTENSION WITHOUT PLANNING PERMISSION.

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICER: IAIN BLACKLEY 546305

IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER

WARDS AFFECTED: FARLEY

PURPOSE

1. To advise Members of the breach of planning control that has occurred and to seek their decision

RECOMMENDATION(S)

2. Development Control Committee is recommended to take no further action.

BACKGROUND

The Site:

3. Cornel Close is a small estate of semi-detached and terraced houses dating from around 1960. The pairs of houses are separated from the adjoining property by a covered passageway and store. Number 9, the subject of this report, has a single storey rear extension across the full width of the house, to the depth of the passage/store that was built within "permitted development" tolerances. To the rear of the passageway and store and part of the rear extension, a new unauthorised single storey extension has

been built with the side wall on the boundary with No.8. The unauthorised extension measures approximately 3.5m deep by 6.00 wide.

The Complaint:

4. The erection of a single storey rear extension without planning permission.

Planning History:

5. 04/01426/FUL – Retention of single storey rear extension. Not determined (Withdrawn).

Technical Consultations:

6. Building Control was advised of the development.

Local Plan Allocation:

7. Primarily Residential Area

Relevant Policies:

8. H1, H8, E1 and E8

REPORT

Material Considerations:

9. Once the contravention of planning control had been assessed, the occupant was invited to submit a planning application to regularise the situation. An application was submitted, but without the necessary plans and elevations to make a valid submission. The occupant declined to provide the required information and in due course the file was taken off the worklist and treated as withdrawn.

10. The extension as built, meets the requirements of Policies H1, H8, E1 and E8, as well as the standards set out in Appendix 4A of the Borough of Luton Local Plan. It causes no loss of light or privacy to the adjoining properties and the rear garden more than meets the requirements for private amenity space.

CONCLUSIONS

11. Having regard to the above, it is recommended that no further action be taken.

LIST OF BACKGROUND PAPERS
LOCAL GOVERNMENT ACT 1972, SECTION 100D

12. Borough of Luton Local Plan 1997
13. Enforcement File 04/00248/UBO