

AGENDA ITEM

COMMITTEE: DEVELOPMENT CONTROL

DATE: 2ND FEBRUARY 2005

SUBJECT: 225 NEW BEDFORD ROAD. ERECTION OF 2-STOREY
SIDE EXTENSION NOT IN ACCORDANCE WITH THE
APPROVED PLANS.

REPORT BY: DEVELOPMENT CONTROL MANAGER

CONTACT OFFICER: ROD PORTER 546317

IMPLICATIONS:

LEGAL	COMMUNITY SAFETY
EQUALITIES	ENVIRONMENT
FINANCIAL	CONSULTATIONS
STAFFING	OTHER

WARDS AFFECTED: BARNFIELD

PURPOSE

1. To advise Members of the present situation and to seek their decision.

RECOMMENDATION(S)

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

BACKGROUND

The Site

3. This is a 2-storey semi-detached house dating to the 1930's. It is located at the junction of Cranleigh Gardens with New Bedford Road. A 2-storey side extension is in the course of construction.

The Complaint

4. The complaint was received on the 22nd November 2004 that the extension was not being built in accordance with the approved plans – 99/01155/FUL.

Planning History

5. 99/01155/FUL – Erection of 2-storey side extension. Approved 20th March 2000.

Local Plan Allocation

6. Primarily Residential Area.

Relevant Policies

7. H1, H8, E1 & E8.

REPORT

Material Considerations

8. The planning application was received by the Council on 12th November 2004, showing a 2-storey side extension, 4.6m wide by the depth of the existing house. The scheme also includes the erection of a double garage in the rear garden. The then Case Officer negotiated a reduction in the width of the proposed extension to 3.6m, because it was considered that the size of the extension was out of proportion with the original house. The application was permitted on the 20th March 2000.

9. The extension as built is 4.27m wide, an increase of 0.67m [2ft] over what was permitted. The approved design has not significantly changed, and the gap to the side boundary scales approximately 2.00m. Because the front wall of the extension is inset by 0.900m, it still appears subordinate to the main house. In practical terms the overall change is marginal, and if the case is taken to appeal it is considered unlikely that a decision to enforce would be upheld. The Council would have to show that the extra 0.67m has so severely detracted from the appearance of the building and the street scene that this part should be demolished. Nor can it be shown that any other adverse effects from the extension as built.

CONCLUSIONS

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

LIST OF BACKGROUND PAPERS

LOCAL GOVERNMENT ACT 1972, SECTION 100D

11. Borough of Luton Local Plan 1997.
12. Enforcement File Enf/04/00501/UBO.