

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services
TO: East Area Committee
WARD: Petersfield Ward

REQUEST FOR REVIEW OF THE RESOLUTION TO REFUSE PLANNING APPLICATION 14/0452/FUL – 80 AINSWORTH STREET FOR A TWO STOREY REAR EXTENSION.

1. INTRODUCTION

- 1.1 On 19th June 2014 East Area Committee considered an application (14/0452/FUL) to allow a two storey rear extension to 80 Ainsworth Street. The Committee report is attached as appendix 1 to this report and provides the background to the application and the relevant planning issues. The Committee resolved to refuse the application, contrary to the officer recommendation, on the basis of two issues of concern which were: 1) Overshadowing and 2) Loss of amenity to no.82 Ainsworth Street. Officers were asked to go away and work up the issues of concern into final reasons for refusal to be agreed through the Chair and Spokes.
- 1.2 Officers have now looked at the possible reasons for refusal and the comparison between the current application and the existing planning permission for an almost identical scheme (Ref: 10/1002/FUL). Officers have some concerns about the strength of the case that can be made for refusing planning permission and in the light of this the Head of Planning Services has asked that East Area Committee be updated on this position before the decision is confirmed.

2. RECOMMENDATION

- 2.1 That Members review the updated advice contained in this report and approve the planning application, Ref 14/1002/FUL for a two storey rear extension.

3.0 BACKGROUND

- 3.1 Paragraph 8.2 of the committee report (attached at Appendix 1) made reference to a previously approved application (Ref: 10/1002/FUL) which was for an identical scheme in all respects other than two minor differences:
- 1) The window at first floor level on the rear elevation has changed from one single window, to two small separate windows;
 - 2) The width of the extension is slightly increased by 100mm (the approximate width of one brick).
- 3.2 The physical circumstances of the site appear to remain unchanged since that previous planning permission was granted. The planning policies contained within the Cambridge Local Plan (2006) remain relevant to this application. The

National Planning Policy Framework and Guidance introduced in intervening years have not made material changes to the considerations relevant in this case.

- 3.3 The existence of a recent planning permission that is all but identical in terms of its impact upon the neighbouring property would be regarded as a fall-back position that has previously been established as being acceptable by the local planning authority. The national and local planning policy circumstances have also not changed in any material way since the previous approval. Given this, your officer's view is that a refusal of planning permission would be difficult to defend if it went to appeal and could be considered to amount to unreasonable behaviour by the local planning authority.
- 3.4 It is right and proper that these matters are drawn to Member's attention before the resolution to refuse planning permission is confirmed. Officers remain of the view that the proposed development is acceptable and consistent with the development standards approved across the City.

4.0 CONCLUSIONS

- 4.1 Given the above East Area Committee are asked to approve the application, subject to the conditions recommended at paragraph 10.0 on the previous committee report.

6.0 IMPLICATIONS

- (a) **Financial Implications** – Potential for costs if allowed at appeal and unreasonable behaviour proven.
- (b) **Staffing Implications** – None
- (c) **Equalities and Poverty Implications** – None
- (d) **Environmental Implications** – None.
Climate Change Impact: Nil
- (e) **Procurement** – None
- (f) **Consultation and Communication** - None
- (g) **Community Safety** - None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Planning application 14/0452/FUL
Planning application 10/1002/FUL

To inspect these documents contact Angela Briggs on extension 7144

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Report file:

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