

Application Number	13/0957/FUL	Agenda Item	
Date Received	2nd July 2013	Officer	Mr John Evans
Target Date	27th August 2013		
Ward	Trumpington		
Site	32 Panton Street Cambridge Cambridgeshire CB2 1HP		
Proposal Applicant	Alteration of boundary fence and bin enclosure Master And Fellows Trumpington Street Cambridge CB2 1RF		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1) This revised proposal addresses the previous reason for refusal. 2) The reduced fence height, repositioning the refuse store and appropriate landscaping will result in minimal harm to the character and appearance of the Conservation Area and Building of Local Interest (BLI). 3) Details of an appropriate wood stain and landscaping can be agreed through conditions 2 and 3.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application relates to an early Victorian Building of Local Interest situated on the western side of Panton Street, which is currently used for student accommodation. The property is set back from Panton Street by approximately 5.5m.
- 1.2 The site falls within the Central Conservation Area.

2.0 THE PROPOSAL

- 2.1 Retrospective planning permission is sought for the erection of the front boundary fence and bin enclosure. The College removed the previous hedge boundary in 2011 and erected a wooden panel fence and refuse store.
- 2.2 This application proposes a minor alteration to the fence to provide a continuous 1m height fronting Panton Street and is constructed from untreated timber panels. The refuse enclosure is 1.8m in height and as proposed under this application will be moved back 600mm into the site to provide space for landscaping.
- 2.3 The application is accompanied by the following supporting information:
1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
12/0225/FUL	Erection of new boundary fence and bin enclosure. Removal of existing hedge and fence.	Refused

The application was refused for the following reason:

The fence, because of its height and material, and the bin store, because of its scale, materials, prominent location, inadequate capacity and ineffective method of enclosure, respond poorly to the surrounding context, jarring with, and detracting from, the character of the Building of Local Interest and the street scene, and eroding the special quality of the Newtown section of the City of Cambridge Conservation Area No.1 (Central), contrary to policies 3/4, 3/7, 3/11, 3/12, 4/11 and 4/12 of the saved Cambridge Local Plan 2006, and to government guidance in Sections 7 and 12 of the National Planning Policy Framework 2012.

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/7 3/11 4/11 4/12

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011) National Planning Practice Consultation
	<u>Area Guidelines:</u> Conservation Area Appraisal: New Town and Glisson Road Conservation Area Appraisal

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies are of relevance:

Policy 55 Responding to context
Policy 61 Conservation and enhancement of Cambridge's historic environment
Policy 62 Local Heritage Assets

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

6.1 The Highway Authority has no comment to make on this application

Urban Design and Conservation team

6.2 Provided the area is properly managed and that the suggested condition is appropriately discharged, this application can be supported as not being detrimental to the character and interest of the BLI and the appearance of the conservation area. Therefore it complies with policies 4/11 and 4/12 of the Cambridge Local Plan 2006.

6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 Councillor Blackhurst has commented on this application. I have set out his comments below:

It has been suggested that the proposal responds poorly to the surrounding context, in design and materials, and would adversely affect the conservation area contrary to policies 3/4, 3/7, 3/11, 3/12, 4/11 and 4/12 of the Local Plan. I believe it would be appropriate for the committee to take a view on this.

7.2 The owners/occupiers of the following addresses have made representations:

35 Panton Street
33 Panton Street
71 Panton Street
1 Brookside
9 Brookside

7.3 The representations can be summarised as follows:

- The College removed the Forsythia hedge which hid their bins on the street in 2011.
- The present proposal provides yet another cheap ugly fence to the Panton Street environment.
- In a residential area such utilitarian recourses are intolerable.
- The bins are often left open.
- The bin store is an eyesore.
- There will be no flowers, no birds and no habitat for other wildlife.
- The College should reinstate the hedge or build a wall.

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Context of site, design and external spaces
2. Third party representations

Context of site, design and external spaces

8.2 I consider the key issue to be the design of the fence and bin store, and the impact they, and the loss of the hedge, have on the character and appearance of the conservation area.

8.3 The proposed timber fence is utilitarian in design and is not a boundary treatment which would be encouraged in a Conservation Area or within the curtilage of a Building of Local Interest (BLI). It is regrettable the previous hedge was removed, although this did not require planning permission.

8.4 This notwithstanding, the College propose to reduce the height of the fence to 1m along the Panton Street frontage, meaning that it does not require planning permission. Boundary walls and fences can be erected up to 1m in height without requiring express planning permission. Provided that the fence is treated with a suitable dark wood stain to reduce its prominence, in my view there are no reasonable grounds to refuse planning permission.

8.5 The refuse store requires planning permission because it is an outbuilding forward of the front elevation of 32 Panton Street. This revised application proposes to rebuild the refuse store 600mm back from the pavement, which will allow sufficient space for planting to screen the bins. In my view, the benefits to be gained from a single refuse area to accommodate all the large steel paladin bins, outweighs the visual prominence of the structure. With suitable landscaping and planting in my view the refuse store will not detract from the character and appearance of the Conservation Area and BLI.

8.6 In my opinion the amended proposal addresses the previous reason for refusal by reducing the visual prominence and harm of both the fence and refuse store. The presence of other low

front fences along Panton Street contributes to my overall view that the proposal is acceptable. This revised application is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 4/11 and 4/12.

Third Party Representations

8.7 The issues raised have been discussed in the above report and are summarised below:

Issue	Report Section
The College removed the Forsythia hedge which hid their bins on the street in 2011.	Paragraph 8.3. It is regrettable that the hedge was removed, but this was not development requiring planning permission.
The bins are often left open.	This is a management issue. The refuse store in my view adequately accommodates the large steel paladins.
The bin store is an eyesore.	Paragraph 8.5

9.0 CONCLUSION

9.1 This revised application addresses the previous reason for refusal. Given that a fence up to 1m in height can be erected without planning permission, there are no reasonable grounds to seek its complete removal. In my view, treating the timber with a dark stain and appropriate landscaping will result in the proposal having minimal harmful impact on the character and appearance of the Conservation Area and BLI. APPROVAL is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development shall be implemented within three months of the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Within three months from the date of this permission, a planting / soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Landscape works shall thereafter be carried out only in accordance with the approved details within four months of this permission.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

3. Details of proposed wood stain for the timber fence and refuse store shall be submitted to and approved in writing by the Local Planning Authority within three months of this permission. The development shall be carried out in accordance with the approved details within four months of his permission.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)