

**MARLBOROUGH TOWN COUNCIL
PLANNING COMMITTEE**

Minutes of a meeting of the **Planning Committee** which was held on **Monday 23rd February 2015** in the **Council Chamber, Town Hall, Marlborough at 7.00 pm**

PRESENT

Councillor M. Hall
Councillor Mrs E.M. Hannaford-Dobson
Councillor S.R. Dobson
Councillor B. Castle
Councillor Mrs P. Dow
Councillor N. Fogg
Councillor G. Loosmore
Councillor A. Kirk Wilson
Councillor Mrs M. Rose
Councillor N. Barrett-Morton
Councillor L. Farrell
Councillor J. Cook
Councillor B. Lam
Councillor A. Light

Chairman
Town Mayor

**ALSO
PRESENT**

Mrs S. Parker
Mrs D. Whitehall
Mr N. Goodwin
Mrs S. Pryor
Ms R. Barr
Plus 18 members of the public

Town Clerk
Administrator
Marlborough News Online
The Adviser
Gazette and Herald

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APOLOGIES

Apologies for absence were received from Councillors R. Allen and A Ross.

480/14

DECLARATION(S) OF INTEREST

Cllrs. E.M. Hannaford-Dobson, S. Dobson and A. Kirk Wilson – Agenda Item 6a (residential development and associated work at land off Rabley Wood View) – pecuniary interest.

Cllrs. E.M. Hannaford-Dobson and S. Dobson – Agenda Items 6d and 6j (erection of detached dwelling and access and variation of conditions to application at Wakefield House, Cardigan Road) – non-pecuniary.

Cllr. Fogg – 6e and 6f (set of externally illuminated signs at 37, High Street) – non-pecuniary

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CHAIRMAN'S ANNOUNCEMENTS

A recording of the meeting would be made by Marlborough News Online. As members were aware, legislation was in place enabling this to happen.

The Granham Hill retirement homes application submitted by McCarthy & Stone had been considered by the Eastern Area Planning Committee in Devizes on 19th February and passed with a 5-2 majority. Both Unitary Councillors - Cllrs. Dobson

and Fogg together with Councillor Cook (representing the Town Council) and members of the public had put forward well thought-out objections. Thanks were passed to them. Assurances had been given that Section 106 monies would be ring-fenced for affordable housing in Marlborough.

482/14 **MINUTES**

RESOLVED: that the minutes of the meeting of the Planning Committee held on 9th February 2015 were a true record and signed by the Chairman.

483/15 **PLANNING DECISION NOTICES**

The following Planning Decision Notices had been issued by Wiltshire Council -

- a) **14/11905/FUL** – Redevelopment of existing retail showroom to create retail units with 4 apartments above (Resubmission of planning permission E/10/0092/FUL) at Crooks Yard, Hilliers Yard, Marlborough for KS Prop Ltd. **MTC – No objection. Approved with Conditions 26th January 2015.**
- b) **14/09489/FUL** – Soil remediation works to remove historical gasworks contaminants from the upper 2m of soil in the western section of the site at Former Gasworks, Kelham Gardens, Marlborough for Mr Matthew Pearce. **MTC – No objection. Approved with Conditions 2nd February 2015.**
- c) **14/11581/FUL** – Single storey rear extension and loft extension including two dormer windows & internal alterations at Eastholme, Blowhorn Street, Marlborough for Mr D. Morris. **MTC – No objection. Approved with Conditions 2nd February 2015.**
- d) **14/08801/FUL and 14/09009/LBC** – Rebuilding and repairs to boundary wall between 6 Barn Street and the Wye House Estate at Wye House, Barn Street, Marlborough for Cognatum Ltd. **MTC – No objection. Approved with Conditions 9th February 2015.**

484/14 **PLANNING APPLICATIONS**

The Committee considered the following Planning Applications which had been received from Wiltshire Council –

- a) **15/01052/OUT** – Residential development and associated works (Resubmission of 14/01766/OUT) at land off Rabley Wood View, Marlborough for Manton House Estate.

The Chairman reminded the Committee that this application had been rejected by the Town Council in 2014 on the grounds of highways, parking and safety issues, an existing Deed of Variation, wildlife concerns and that the proposed compensatory like for like land was unsuitable. The Eastern Area Planning Committee had also rejected it. It had been re-submitted in amended form with a reduced number of houses.

During a suspension of Standing Orders comments were made by 2 members of the public:

Mrs Jayne Baker, a resident of The Thorns:

- The application did not resolve any of the reasons given for the original refusal

- The plan did not meet National Planning Policy Framework requirements to provide equivalent or better provision in terms of quantity and quality in a suitable location – it proposed a smaller play area, hidden from sight and close to dangerous open water and liable to flooding
- There would be a risk to children’s safety due to lack of natural surveillance; the proximity to open water; the danger of unexploded munitions as the site had been a firing range in the past and a lack of vehicle access preventing emergency vehicles from entering the area in case of accident or emergency
- Cutting pathways through existing hedging would destroy valuable wildlife habitat contrary to the advice from Wiltshire Council’s Senior Ecologist
- Draining the water meadow would destroy much valued wetland which organisations including ARK and the Town Council had worked hard to protect
- The Traffic Survey forecast 200 extra car movements per day, greatly increasing the likelihood of traffic accidents. The CPRE had stated that: “The reliance on the idea that residents will walk or cycle to the shops, work or schools is a pious hope”
- A Construction Industry Research document recommended that SuDS ponds are positioned in “*An open and accessible situation with houses providing a **high degree of natural surveillance***”. The planned pond was hidden from all housing behind a line of mature trees so did not comply with this recommendation
- Wiltshire Council would receive a commutable sum for maintaining the play area. The lack of access points would prevent machinery reaching the area leading to concerns that proper maintenance could not be carried out
- The water meadow was outside the existing Settlement Boundary for Marlborough. It was unacceptable for Wiltshire Council to ignore this boundary without consulting Marlborough Town Council or local residents
- No application for change of use of the agricultural land had been made and could happen implicitly if the application gained approval without further consultation

Mrs Baker was supportive of new houses for Marlborough but they must be built in suitable locations and the Rabley Wood Recreation Field was not suitable for such a development. She urged the Committee to vote against the application and thanked them for the opportunity speak on this matter.

Mrs Elizabeth Cooper, a resident of The Thorns:

The intention was for Wiltshire Council to adopt all of the recreation space. As was standard procedure, a commuted sum to cover the maintenance and management of the recreation space would be secured by a legal agreement’ (Design and Access statement, p.5). As the land offered as additional recreation space, had an increasing level of risk from water and was in the firing range used by the US Third Army 20th Division from May 1944 - July 1945, she and other residents had the following concerns:

- Whether Wiltshire Council would accept liability for the safeguarding of children given the presence of the water meadow, proposed attenuation pond and nearby river
- If the legal agreement would cover the risks associated with the previous use of the land as a firing range and with recent evidence of unexploded ordnance

- Whether Wiltshire Council's insurers would be prepared to underwrite loss of life or limb if there was an accident to a member of the public on the site
- How Wiltshire Council would ensure safe access for the emergency services to any injured member of the public at the site.

Cllr. M. Rose raised concerns about the number of trees to be removed.

Cllr. Castle drew attention to an email received from Ms Amy Nelson which concentrated on the traffic problems. He himself had experienced great difficulty driving out of the area during a recent snowfall where driving conditions had been dangerous.

Cllr. Loosmore did not consider the application to be materially altered from the previous application and felt that all original reasons for rejection were still valid. The proposed development was not right for the area, did not meet local needs and would add to existing traffic problems. Adding more houses and reducing the play area would impact on the quality of life for local residents.

RESOLVED: unanimously that Marlborough Town Council objects to this application on the grounds of highway safety, road access, nature conservation, traffic generation, layout of buildings and general safety issues with regard to children

Cllr. Dobson reported that, as requested at the meeting on 9th February 2015, he had called-in the amended application.

- b) 15/00674/FUL** – Two CCTV cameras on external walls at Town Hall, High Street, Marlborough for Marlborough Town Council
The application was noted by the Committee.
- c) 15/00788/LBC** – Two CCTV cameras on external walls at Town Hall, High Street, Marlborough for Marlborough Town Council
The application was noted by the Committee.
- d) 15/00830/REM** – Erection of detached dwelling and access (Reserved matters application following E/2012/1298/OUT for the landscaping of the proposed dwelling) at Plot 2, Wakefield House, Cardigan Road, Marlborough for Chalk Road Developments Ltd
RESOLVED: by 11 votes for with 1 against and 1 abstention that Marlborough Town Council has no objection to this application.
- e) 15/00840/ADV** – One set of externally illuminated fascia text, one externally illuminated projected sign, and one internally illuminated menu, all to replace existing. One internally illuminated take away sign at 37 High Street, Marlborough for Pizza Express
RESOLVED: by 7 votes for with 3 against and 2 abstentions that Marlborough Town Council has no objection to this application.
- f) 15/00897/LBC** – One set of externally illuminated fascia text, one externally illuminated projected sign, and one internally illuminated menu, all to replace existing. One internally illuminated take away sign at 37 High Street, Marlborough for Pizza Express
RESOLVED: by 7 votes for with 3 against and 2 abstentions that Marlborough

Town Council has no objection to this application.

- g) **15/00910/FUL** – Two storey extension and associated internal alterations at 2 Rawlingswell Lane, Marlborough for Mr & Mrs Prain
RESOLVED: by 12 votes for with 1 abstention that Marlborough Town Council has no objection to this application.
- h) **15/00912/FUL** – Change of use from a sandwich shop to a dwelling. Internal alterations, changes to ground floor rear extension and erect new first floor extension over at 8 The Parade, Marlborough for Carty Properties Ltd
RESOLVED: by 7 votes for with 3 against and 3 abstentions that Marlborough Town Council has no objection to this application.
- i) **15/01020/LBC** – Internal alterations, changes to ground floor rear extension and erect new first floor extension over to facilitate change of use from a sandwich shop to a dwelling at 8 The Parade, Marlborough for Carty Properties Ltd
RESOLVED: by 7 votes for with 3 against and 3 abstentions that Marlborough Town Council has no objection to this application.
- j) **15/00972/VAR** – Variation of conditions 1, 2, 3 and 4 of planning permission 14/04084/REM – cladding changed for tile hanging, introduction of flat roof glazed lanterns, minor amendments to doors and windows, and confirmation of basement and garage elevations at Plot 2, Wakefield House, Cardigan Road, Marlborough for Chalk Road Developments Ltd
RESOLVED: by 11 votes for with 1 against and 1 abstention that Marlborough Town Council has no objection to this application.
- k) **15/01040/FUL** – Single storey extension to the rear and side of the property at 22 Thomson Way, Marlborough for Mrs Sandra Rogers
RESOLVED: by 11 votes for with 1 against and 1 abstention that Marlborough Town Council has no objection to this application.

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NEIGHBOURHOOD PLANNING

The Town Clerk's report was noted. Cllr. Cook reported that the first meeting of the Steering Group had been arranged for Tuesday, 24th March at 2 pm in the Council Chamber. James Proyer, Spatial Planning Officer (Wiltshire Council), would be attending along with interested members of the community.

Two Councillors were nominated to join the Steering Group as representatives of the Town Council but this did not prohibit other Councillors joining as volunteers from the community.

RESOLVED: unanimously to nominate Cllrs. Hall and Cook to act as Marlborough Town Council representatives to the Neighbourhood Plan Steering Committee.

The Town Clerk was asked to approach Mrs Jayne Baker inviting her to take part in the Neighbourhood Planning process.

486/14

EQUALITY VIGIL ON THE HIGH STREET

The committee welcomed a request from groups and churches in Marlborough to hold an equality vigil on the High Street on Saturday, 14th March 2015.

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FOR INFORMATION ONLY

Temporary Road Closure – Ramsbury Road/Marlborough Road, Mildenhall and Ramsbury (TTRO 3740)

It was noted that Wiltshire Council had made an Order to close temporarily to all traffic Ramsbury Road/Mildenhall Road, Mildenhall and Ramsbury; from its junction with Stone Lane, Axford in a westerly direction for a distance of approximately 2 km to enable Wiltshire Council to carry out carriageway resurfacing and associated works. The closure would be required for three evenings between 19:00 and midnight commencing Friday 27th February 2015. Access would be maintained for residents and businesses although delays were likely due to the nature of the work.

The meeting closed at 7.43 pm

Signed
Chairman

Date