

**MARLBOROUGH TOWN COUNCIL
PLANNING COMMITTEE**

Minutes of the **Planning Committee** held Monday, 14 June 2021 in the Assembly Room, Marlborough
Town Hall at 7pm

PRESENT: Councillor Nicholas Fogg
Councillor Mark Cooper
Councillor Andrew Ross
Councillor Guy Loosmore
Councillor Mervyn Hall
Councillor Donald Heath
Councillor Vanessa Hillier
Councillor Jo Waltham
Councillor Richard Allen
Councillor Kymee Cleasby
Councillor Jane Davies
Councillor James Sheppard
Councillor Caroline Thomas

Chairman
Town Mayor (ex officio)

ALSO

PRESENT: Richard Spencer-Williams
Dawn Whitehall
Neil Goodwin
David Milligan and Tim Buckley
Plus 3 members of the public

Town Clerk
Administrator
Marlborough.News
Sherbourne Developments

Members stood to observe a minute's silence in memory of Councillor Bryan Castle

PUBLIC QUESTION TIME

Neil Goodwin asked if the Committee was aware of any planning consent or pending application for a structure in the garden of The Marlborough Pub which he believed did not comply with Wiltshire Council's rules as a 50% open structure for COVID use or with planning rules in relation to a listed building. Was the Committee aware if the owners had approached Wiltshire Council to ask for permission for this structure?

The **Town Clerk** had already contacted a Planning Officer to ask for clarification and awaited a response.

Mrs Hannaford-Dobson asked whether Standing Orders could be suspended for item 6(d).

49/21 APOLOGIES

Apologies for absence were received from **Councillors Barrett-Morton and Farrell**.

50/21 DECLARATIONS

The **Town Mayor** and **Councillor Davies** – item 6(d) – planning application in the garden of High Town – non-pecuniary interest.

51/21 CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

52/21 MINUTES

Items 41/21 (m) and (n) should be amended as St Peters Church was within West Ward, not East as stated in the Minutes. **Councillor Davies** (Wiltshire Councillor – Marlborough West)

agreed to look into the two planning applications with a view to calling them in if the details could be sent to her.

RESOLVED: that the minutes of the meeting held Tuesday, 1 June 2021 were approved as a true record with one amendment and signed by the Chairman

53/21

PLANNING DECISIONS

Members noted the planning decision notices that had been issued by Wiltshire Council.

54/21

PLANNING APPLICATIONS

a) PL/2021/03930 – Full Planning Permission

Conversion of former school building and conversion and extension of outbuildings to provide residential (use class C3) and commercial (use class E) floorspace together with the construction of seven new dwellings to the rear, associated external works and parking at St Peters Junior School, The Parade, Marlborough for Sherbourne Developments Ltd

During a suspension of Standing Orders Mr David Milligan, the Development Director of Sherbourne Developments supported by Mr Tim Buckley provided an update about the change to this planning application and answered questions from members of the public and Committee Members. These included:

- Whether the increased number of apartments in the updated plans brought it within the scope of including a percentage as affordable homes?
 - A viability report had been commissioned but the final outcome was still to be decided.
- Trees: the report showed recommendations for some to be retained and some to be felled. As these were just recommendations, when would the final proposal about trees be available?
 - Some smaller trees were diseased and should be removed.
 - There had been a request from the owners of ATS to reduce or remove the large Lime trees as sap was dropping on vehicles. The developers would be happy to keep these trees with a 4-5m crown reduction so any request would be taken up by the Wiltshire Council tree officer.
 - The developers accepted that trees would need to be maintained and protected during the construction phase.
 - Whatever the arboreal report recommended for the Willow tree would be carried out: it was a lovely tree and Sherbourne wanted to keep it. As it was a significant part of the landscape the least damage, the better. Works might include lifting the lower branches to protect it from damage.
- Whether the Town Council could include in its comments the protection of specific elements of this listed building: a historic bell which had been recast in 1816; the 1904 foundation stone; the 2020 Grammar School anniversary tablet and the 'boys' and 'girls' entrance signs as these were integral to the town's history and should be retained.
 - The developers confirmed there was no intention to remove any of these elements: they had not been aware the bell was there, and it would be left in situ.
- Members expressed disappointment that the plans no longer included a hotel. This had been a significant part of the original application and had gained support as there was a shortage of hotel space in the town and a hotel/restaurant in this location would be a great asset to residents and create more tourism opportunities. It was recognised that the pandemic had affected this but also that in a few years' time the boutique hotel market should recover and it would be a great shame to lose this opportunity.
 - Prior to submitting planning (and before the Covid pandemic), three hotel operators had shown interest. This had now been withdrawn, largely due to

the cost of the conversion of part of the building to create bedrooms. The developers' agents had been marketing the hotel space for 18 months. The current situation was that due to Covid, large chains had survived but smaller independent chains had suffered more. 4 or 5 companies had considered the site very seriously but the high cost of conversion had deterred all of them, especially as vacant, 'ready to go' hotel buildings were currently available on the market. The change in proposal to use class E (which could include office space) is a result of larger companies wanting to reduce office space in cities and look for smaller, more bespoke spaces in market towns. The Class E category was introduced in September 2020 and is much broader – the use could be for shops, services, food & drink, a bar, business, medical, creche, day centre, sport and leisure, public assembly or food takeaway. This will provide opportunities for different uses. It had never been the intention of Sherbourne Developments for the non-dwelling part of the building to be anything other than a hotel and it was a great shame that an operator hadn't been found but they could not wait 2-3 years for the financial/Covid circumstances to change. Agents had confirmed there were clients seeking office space of this type which is why the updated plans now include Use Class E.

- Would the Developer be willing to clarify which hotel operators had been approached?
 - Yes
- Parking in the Parade: there was no change from the previous proposal and would result in a loss of 2-3 spaces directly outside the proposed second entrance to the site
- Did the revised plans make adjustments in response to concerns about the original application from residents of Town Mill about overlooking?
 - There was no change in this part of the updated application. Four of the new houses would have windows in the direction of Town Mill
- The EV charger points for the proposed houses were welcomed. Were other environmentally friendly elements being incorporated into the new buildings?
 - The developers didn't have these details to hand and would need to check. Heat pumps had been discounted as had photo voltaic panels. Other elements such as energy efficient insulation would have to be incorporated as standard to comply with building regulations.
- There had been a recent loss of office space in the High Street where buildings had been converted to apartments. More office space for the town was therefore welcomed by some Members.
- Whether the agents were marketing the building as space for a hotel operator to conduct the conversion, or whether Sherbourne would carry this out on behalf of the hotel operator?
 - The developers were flexible and would be happy with either approach

In summary, Mr Milligan confirmed he was more than happy for any Members with further questions, or whose questions he had been unable to answer in full, to visit his office where he could provide further background information. If the Committee wished to put together a list of all their detailed questions, whether about environmental issues or use, they would be happy to answer them in more detail. Sherbourne Developments want the building to be successful and the proposal for a dynamic, interactive space is the current proposal – it has been on the market as a hotel for 18 months but no interest had been expressed by hotel operators.

The Chairman thanked them for attending, and both left the meeting.

Members' discussion points arising included:

- Great disappointment that the plans no longer included a hotel which was much needed for the town and would have been a great asset. Could this be pushed harder?
- The town needs a hotel and more affordable homes, not luxury houses. Was there an opportunity here to meet either of these needs?
- Whether it would be better for the building to be redeveloped and in use rather than standing empty
- Whether the Town Council could do more to help the developer find the right occupant for the non-dwelling space
- If the updated plans resulted in more than 10 dwellings there would be an obligation to provide 40% as affordable homes
- Whether there was a risk, if the plans were rejected, that the whole building would be converted to luxury over 55 development which would be exempt from the requirement to incorporate any affordable homes
- Concerns about lack of clarity in some of the answers given about use
- A desire to see more evidence of the attempts to market the hotel part of the original proposal

RESOLVED: that Marlborough Town Council does not support this application on the grounds of the lack of any proposals to make 40% affordable housing quota when more than 10 dwellings are included. Also to comment with concern about the lack of clarity about the future intentions of this building and a request for evidence to support the requested change of use from the original proposal for hotel space

b) PL/2021/05599 – Listed Building Consent (Alt/Ext)

Conversion of former school building and conversion and extension of outbuildings to provide residential (use class C3) and commercial (use class E) floorspace together with the construction of seven new dwellings to the rear, associated external works and parking at St Peters Junior School, The Parade, Marlborough for Sherbourne Developments Ltd

RESOLVED: that Marlborough Town Council does not support this application on the grounds of the lack of any proposals to make 40% affordable housing quota when more than 10 dwellings are included. Also to comment with concern about the lack of clarity about the future intentions of this building and a request for evidence to support the requested change of use from the original proposal for hotel space

c) PL/2021/04892 – Full Planning Permission

Redevelopment involving demolition, change of use and erection of two 4 bedroom dwellings and associated works (resubmission of 20/00623/FUL) at Brunel Court, Elcot Lane, Marlborough for Amcar Homes Ltd

RESOLVED: that Marlborough Town Council has no objection to this application

d) PL/2021/04315 – Full Planning Permission

The erection of a detached residential property on land at the junction between Cross Lane and Back Lane, Marlborough in the garden of “High Town” for Mr Gary Sharp

The Chairman invited members of the public to speak:

Mrs Hamblin had sent a letter outlining her concerns and objections which included:

- Access – cars and pedestrians would be put at risk. There is no pavement in Cross Lane which is already too narrow for vehicles to pass. This risk would be greatly increased during construction with vehicles accessing the site.
- The location of the new access drive is very close to a road junction on a blind corner which will be dangerous for pedestrians where there are no pavements.

- Proximity to, and overlooking of, the adjacent bungalow. The proposal would create a clear view from the new building/s into the kitchen and sitting room of this bungalow at great loss of privacy.
- Once built the proximity of the new building to the boundary fence with the bungalow will create issues with access for maintenance.
- Whether, due to the slope of the land, there would be erosion from the new site through the fence into the grounds of the bungalow.
- The loss of trees, which would have to be removed to make space for construction work.
- The area had been noted in the previous Kennet and forthcoming Neighbourhood Plan as an area of special quality, with large houses set in large gardens. The proposal would not fit that description and would be overdevelopment of the site.

Mrs Hannaford-Dobson agreed with all points raised by Mrs Hamblin. She emphasised the highways risk in an area where there is no room for cars to pass and where pedestrians have to walk in the road. The plans show no care or courtesy to the adjacent Cross Patch bungalow – the two rooms proposed above the garage will look directly into the bungalow because of the slope of the land.

Mr Dobson emphasised the access issues already stated, safety risk near a blind corner, believed the proposals constituted overdevelopment of an already limited garden, overlooking of the bungalow and questioned the need for a 2-storey garage so close to the boundary. The loss of mature trees would have a detrimental impact on the area which was proposed to be designated as an area of special quality in the forthcoming Neighbourhood Plan and had been recognised as such in the past by Kennet District Council.

Standing Orders were restored. Members' comments included:

- The drawings were very poor and did not seem to reflect the reality of what was happening on the ground – some of the area had already been cleared
- The windows of the bungalow would be completely overshadowed as the new 2-storey building would be on higher ground
- There was no mention of trees in the planning application and no arboreal survey or report had been included in the proposals although it was understood one had been received by the owner
- Contravention of Core Policy 41 “new buildings will be encouraged to incorporate design measures to reduce energy demand”
- The access, loss of hedges etc was in contravention of Core Policy 51 “development should protect, conserve and, where possible, enhance landscape character and must not have a harmful impact upon landscape character”
- Contravention of Core Policy 57 – ensuring high quality design and place shaping:
 - iii) Responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting
 - vi) Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and wider character of the area
 - vii) Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities or existing occupants, and ensuring that appropriate levels of amenity area achievable within the development itself, including considerations of privacy, overshadowing, vibration and pollution
- HH11 Kennet District Local Plan 2011

RESOLVED: that Marlborough Town Council objects to this proposal on the grounds of vehicle safety, access on a dangerous corner, pedestrian safety, overdevelopment of the site and loss of light, the visual impact in an area of special quality, the loss of trees, overlooking and proximity to the adjacent bungalow and contravention of Core Policies 41, 51 and 57

It was noted that **Councillor Davies** had called the application in for discussion.

- e) **PL/2021/04196** – Full Planning Permission
Alterations and extension to existing outbuildings to provide improved ancillary accommodation; alteration to site access at Brown Sherry, The Common, Marlborough for Ms H Stamp
RESOLVED: that Marlborough Town Council has no objection to this application
- f) **20/10496/FUL** – Retrospective Application (Amendment to planning application 18/10173/FUL) at Lyneside, Elcot Lane, Marlborough for Miss Lisa Jacobs
RESOLVED: that Marlborough Town Council objects to this application on the grounds that it does not meet the conditions within the original planning consent
- g) **PL/2021/04107** – Householder Planning Permission
Proposed garage replaced with car port at 19 The Green, Marlborough for Mr and Mrs Brown
RESOLVED: that Marlborough Town Council has no objection to this application
- h) **PL/2021/04139** – Householder Planning Permission
Proposed second storey extension to increase area of roof, side and rear extensions. Additional car port and bin store at Linden Lea, 4 Forest Dale Road, Marlborough for Mrs Katherine Davies
RESOLVED: that that Marlborough Town Council has no objection to this application
- i) **PL/2021/03479** – Householder Planning Permission
Changing rear bedroom window to French doors and installing a 2000mm x 2000mm walk out balcony at 4 Cornerfield, Barrow Close, Marlborough for Mrs Tanya Wells
RESOLVED: that that Marlborough Town Council has no objection to this application
- j) Removed – duplicate on agenda
- k) **PL/2021/04335** – Householder Planning Permission
Single storey Granny Annexe to replace existing wooden garage at 63 Priorsfield, Marlborough for Mr Ian Davies
RESOLVED: that that Marlborough Town Council has no objection to this application
- l) **PL/2021/04207** – Householder Planning Permission
Small single storey extension, additional/replacement roof windows, replacement bedroom window, additional French windows, boundary fence changes and entrance gates at Manton Weir Stables, High Street, Manton for Mr and Mrs Nick Fisk
RESOLVED: that Marlborough Town Council has no objection to this application subject to the satisfaction of the Conservation Officer
- m) **PL/2021/05605** – Listed Building Consent (Alt/Ext)
Small single storey extension, additional/replacement roof windows, replacement bedroom window, additional French windows, boundary fence changes and entrance gates at Manton Weir Stables, High Street, Manton for Mr and Mrs Nick Fisk
RESOLVED: that Marlborough Town Council has no objection to this application subject to

the satisfaction of the Conservation Officer

- n) **PL/2021/04223** - Full Planning Permission
Erection of building to relocate Marlborough Town Council's Grounds Department.
Extension of parking area at land at Marlborough Golf Club, Port Hill, Marlborough for c/o Woolley & Wallis
Members noted this application

55/21 WORK TO TREES

PL/2021/05885 – Notification of proposed works to trees in a conservation area
Lawson Cypress – fell at Marlborough College, Bath Road, Marlborough for Mrs Eleanor Kerrigan
RESOLVED: that Marlborough Town Council has no objection to this application

56/21 PEDESTRIAN CROSSING CONSULTATION

Members considered a response to a Wiltshire Council consultation about a proposed pedestrian crossing at George Lane, Marlborough.

RESOLVED: that Marlborough Town Council supports the proposed pedestrian crossing in George Lane

57/21 LICENSING APPLICATIONS

No applications had been received.

58/21 HIGHWAYS IMPROVEMENT REQUESTS

No requests had been received.

59/21 TEMPORARY ROAD CLOSURES

Members noted that under Section 14(1) of the Road Traffic Regulation Act 1984 Wiltshire Council had issued Temporary Traffic Regulation Order TTRO 7328 to close temporarily to all traffic:

B3052 (part) Marlborough from its junction with Culvermead Close for a distance of approximately 80 metres in a westerly direction

And

Footpath 29 (part) Marlborough from its junction with George Lane for a distance of approximately 73 metres in a northerly direction

To enable Wiltshire Council to carry out installation of signal-controlled crossing and associated works. The closure would be between 19 and 31 July 2021.

60/21 SAFE RE-OPENING OF THE HIGH STREET

Members discussed the orange safety barriers used to create temporary social distancing space. As these may be in place for some time, it was noted that other towns had attempted to improve the visual appearance with banners and/or flowers. Whilst it would not be appropriate to provide grants to businesses for this purpose, there may be an opportunity to encourage businesses to do this for themselves or to incorporate into plans for Marlborough in Bloom

RESOLVED: that Marlborough Town Council would support the visual improvement of temporary road layout changes

61/21 NEIGHBOURHOOD PLANNING

Thames Water had now responded to the draft plan. There would be an opportunity for Councillors to attend a presentation with ONeilHomer to ask questions. The plan will be submitted for Town Council consideration in July.

The meeting closed at 8.45 pm

Signed:
Chairman

Date:

DRAFT