

**MARLBOROUGH TOWN COUNCIL  
PLANNING COMMITTEE**

Minutes of a meeting of the **Planning Committee** which was held on **Tuesday, 30<sup>th</sup> August 2016** in the **Council Chamber, Town Hall, Marlborough** at 7.00 pm

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<b>PRESENT</b>	Councillor M. Hall Councillor N. Barrett-Morton Councillor S. Dobson Councillor Mrs E.M. Hannaford-Dobson Councillor A. Kirk Wilson Councillor Mrs M. Rose Councillor J. Cook Councillor R. Allen Councillor B. Lam Councillor A. Light	Chairman Town Mayor ( <i>ex officio</i> )
<b>ALSO PRESENT</b>	Mrs S. Parker Mrs D. Whitehall Mrs S. Pryor Plus 6 members of the public	Town Clerk Administrator The Adviser

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**PUBLIC QUESTION TIME**

**Caroline Hayward, Kingsbury Terrace** – asked Councillors to support her rejection of the request for retrospective permission for a large pavilion for multiple groups of people on hard standing in the open green area known as Kingsbury Square (agenda item 6(a)), and uphold the Marlborough Conservation Area Statement (2003) which states that Conservation Policy should be to maintain the status quo and follow government guidelines stating no outbuildings should be placed beyond the curtilage of a garden. **The Chairman** thanked her – the item would be discussed later in the meeting.

**Mr Travis, Kingsbury Street** – asked whether there were any plans for changing the parking arrangements in Kingsbury Street and Free's Avenue. **The Chairman** replied that parking in general was being reviewed as part of the Marlborough Area Neighbourhood Plan (MANP), which would be open to public consultation and subject to a public referendum to approve the plan around mid-2017. The MANP included a working party to address parking and transport issues. Mr Travis was encouraged to pass his comments to the MANP website at [www.manp.co.uk](http://www.manp.co.uk)

**213/16**

**APOLOGIES**

Apologies for absence were received from Cllrs. Castle, Dow, Fogg, Ross, Loosmore and Farrell.

**214/16**

**DECLARATIONS OF INTEREST**

Cllrs. Dobson and Hannaford-Dobson – agenda item 6(g) – construction of a bungalow in Cross Lane, Marlborough – non-pecuniary. Cllr. Kirk Wilson – agenda item 6(h) – installation of equipment at Marlborough Telephone Exchange – non-pecuniary. Cllrs. Dobson and Hannaford-Dobson – agenda item 9 –

Application for a Time Limited Premises License for the MY Music Festival – non-pecuniary

**215/16 CHAIRMAN'S ANNOUNCEMENTS**

Objections had been made by the Town Council to an application concerning ground and first floor extensions at 31, Manton Hollow. Amended plans had been submitted which were available online at the Wiltshire Council Planning Portal. As is often the case, town and parish councils don't always have a chance to comment on amended plans. A notice about this had only been received on the day of this meeting, for comments by 13<sup>th</sup> September which was before the next meeting. Of course, any individual wanting to comment could do so.

A copy letter had been circulated to Councillors about a rather belated community consultation around the development at Cherry Orchard House. All comments should be with Bridgewood plc by 9<sup>th</sup> September. Councillors would remember that this was discussed by the Planning Committee on 4<sup>th</sup> July 2016. It was prior notification of a change of use from offices (B1) to residential (C1) to form 5 apartments at Lower Ground Floor, Cherry Orchard House, Cherry Orchard, Marlborough for Bridgewood plc and Southern Health NHS Foundation Trust. The Town Council raised no objections.

**216/16 MINUTES**

**RESOLVED:** that the minutes of the meeting held 15<sup>th</sup> August 2016 were approved as a correct record and signed by the Chairman.

**217/16 PLANNING DECISION NOTICES**

Members noted Planning Decision Notices which had been issued by Wiltshire Council.

**218/16 PLANNING APPLICATIONS**

- a) **16/05954/FUL** – retrospective erection of wooden gazebo at The Green, Kingsbury Square, Kingsbury Street, Marlborough for Mrs Jennifer Noble. Main points of discussion were:
- the original application had been deferred as it had been submitted on the wrong form
  - the land in question had changed ownership since the application was first submitted
  - the application was retrospective as the applicant may not have realised that planning permission was required (if built on amenity land, the gazebo would have fallen within permitted development rights)
  - while the green area was privately-owned, it was considered to be public open space
  - there were public rights of way through the area, not diagonal but footpaths around the sides of the green area
  - the area was within the Conservation Area and surrounded by listed buildings
  - whether there was any contravention of Wiltshire Council Strategy Core Policies 52 (Green Infrastructure), 57 (Ensuring High Quality Design and Place Shaping) and/or 58 (Ensuring the Conservation of the Historic Environment)
  - the Conservation Officer would be consulted as part of the planning process

- whether the gazebo brought amenity benefits to all residents in the neighbourhood. This was the intention stated by the applicant
- whether all residents of Kingsbury Square and been consulted and supported the application (two letters of support and two of objection had been registered)
- there had been wide community involvement in the funding and construction of the gazebo beyond the residents of the two properties that shared ownership of the land
- whether, now or in future, any covenant could be enacted to restrict the usage of the area
- whether residents of adjoining areas such as Kingsbury Terrace had any rights or restrictions on the use of the area
- whether the structure was intrusive for neighbouring properties
- whether it was possible to make an informed decision without clarifying the legal status of the land and its accessibility
- whether, although the structure itself was attractive, it enhanced the open space within the Conservation Area
- whether any planning conditions could specify that the area must never be fenced off from public access

**RESOLVED:** that Marlborough Town Council has no objection to this application and would welcome any conditions the Conservation Officer may advise concerning the impact on the Conservation Area

*Five members of the public left the meeting*

- b) 16/06914/LBC** – remedial structural and maintenance works to preserve existing at 121-122 High Street, Marlborough for J & S Halpern, Targetlife  
**RESOLVED:** that Marlborough Town Council has no objection to this application and would welcome planning conditions to specify that the flagstones in be maintained or replaced on a like-by-like basis
- c) 16/07007/VAR** – variation of conditions 3/4/8/9/11/13/14/15/18/19 relating to materials, landscaping, contamination, foul drainage, surface water drainage, obscure glazing, privacy screen details, approved plans & removal of condition 6 relating to energy performance of planning permission 15/03121/FUL at Old Stone Yard, 99 London Road, Marlborough for Mr Simon McFarlane, Renaissance Retirement Ltd  
**RESOLVED:** that Marlborough Town Council has no objection to this application. Members flagged-up their request to be consulted concerning the name of the completed development
- d) 16/07214/FUL** – new rear entrance and car parking (retrospective) at The Coach House, Back Lane, Marlborough for the Executors of Jean Wheeler  
**RESOLVED:** that Marlborough Town Council has no objection to this application
- e) 16/07313/FUL** – proposed single storey rear extension at 6 St Margarets Cottages, George Lane, Marlborough for Mr Rod Navarrette, Home Plan Design Services  
**RESOLVED:** that Marlborough Town Council has no objection to this application

- f) **16/07344/LBC** – retrospective application for garden wall repairs at 1 The Green, Marlborough for Mr R Bailey, BBL Estates (Marlborough) Ltd  
**RESOLVED:** that Marlborough Town Council has no objections and welcomed and supported this application
- g) **16/07519/FUL** – demolition of existing stable block and construction of bungalow in paddock (resubmission of 15/12168/FUL) at Princes Paddock, Cross Lane, Marlborough for Mr Anthony Ward  
 As not quorate, Marlborough Town Council made no comment on this application
- h) **16/07535/PNTEL** – replacement of 2 no. flagpole antennas, installation of 1 no. ground level SAMO and 1 no. FCOA equipment cabinets with associated feeder cables, gantry support and ancillary development thereto at Marlborough Telephone Exchange, Blowhorn Street, Marlborough for EE and Hutchison 3G c/o Arquiva  
**RESOLVED:** that Marlborough Town Council has no objection to this application  
 Cllr. Kirk Wilson did not vote

219/16

## WORK TO TREES

- a) **16/07548/TCA** – (1) Chapel and Memorial Hall – two Copper Beech trees – crown raise approx. 3m to clear building, & one Green Beech tree – cut back overhang to clear building and (2) The Wilderness – Poplar tree – fell; several Lime trees and one Ash tree – crown raise approx. 3m to allow vehicular access at Marlborough College, Bath Road, Marlborough for Mr Robert Tindall  
**RESOLVED:** that Marlborough Town Council has no objection to this application
- b) **16/07787/TCA** – Holly tree – fell at Blake House, 12 Kingsbury Street, Marlborough for Mrs Denise Foy  
**RESOLVED:** that Marlborough Town Council has no objection to this application
- c) **16/07790/TPO** – Weeping Willow tree – thin crown & remove some regrowth and epicormic growth at Meadowlands, Plume of Feathers Lane, Marlborough for Mrs Naomi Painter  
**RESOLVED:** that Marlborough Town Council has no objection to this application
- d) **16/07914/TCA** – T1 – Cherry tree – fell; G1 – 5 Lime trees – fell at Manton Grange, Manton for Mrs E Goltz  
**RESOLVED:** that Marlborough Town Council objects to this application on the grounds that no reasons were given for the application, and in the absence of a tree surgeon's report the trees were assumed to be healthy
- e) **16/08039/TPO** – Shelter Belt adjacent to Thompson Way – Fell the following trees – one Beech; dying Elms; 4 Cherry trees & one Hawthorn. Lightly crown raise the following trees: one Whitebeam & 4/5 Yews at Cotton House, Bath Road, Marlborough for Mr Robert Tindall, Marlborough College  
**RESOLVED:** that Marlborough Town Council has no objection to this application

- f) **16/08050/TCA** – Fell two Lawson Cypress trees at 37 River Park, Marlborough for Mrs Harfield  
**RESOLVED:** that Marlborough Town Council has no objection to this application

**220/16**

**TEMPORARY ROAD CLOSURE ORDER – MOP FAIRS**

Members considered an application from the Showmen's Guild Western Section to close temporarily the High Street, Kingsbury Street (Part) and New Road for Marlborough Little Mop and Big Mop Chartered Fairs:

- Friday 7<sup>th</sup> October 2016 from 12:00 (midday) to Sunday 9<sup>th</sup> October 2016 at 08:00 am
- Friday 14<sup>th</sup> October 2016 from 12:00 (midday) to Sunday 16<sup>th</sup> October 2016 at 08:00 am

Main points of discussion were:

- That the Town Clerk had circulated correspondence from the Marlborough High Street Retailers Association (MHSRA) suggesting either a move to The Common or that set-up time be moved to a later start or to the Saturday morning
- The Mop Fairs were historic events with a long tradition in the High Street
- Whilst it was too late to make major changes this year, there was potential to hold a community referendum on the location of future Mop Fairs
- There was an opportunity for more flexibility in set-up time this year as there were different parties involved. In 2015 the Showmen's Guild had been amenable to a later set-up time on the Friday although Wiltshire Council and its contractors had been unable to accommodate the later time
- The Showmen's Guild had offered to meet with representatives of the retailers on Thursday, 1<sup>st</sup> September to discuss timing and any other concerns
- Many years previously, the fair had opened for a short time on the Friday specifically for certain groups, e.g. local charities and/or hospital patients

**RESOLVED:** That there is no objection to the road closures but, a later set up time for the Mop Fairs would be welcome, if it was possible.

*A member of the public left the meeting*

**221/16**

**LICENSING ACT 2003 – APPLICATION FOR A TIME LIMITED PREMISES LICENSE**

Members considered an application for a time limited Premises License for the MY Music Festival, Recreation Ground at Marlborough College on 24<sup>th</sup> September 2016 between 14:00 and 22:00 to allow Live Music (Outdoors), Recorded Music (Outdoors) and Performance of Dance (Outdoors)

As not quorate, no decision could be taken on this item. There were no adverse comments.

**222/16**

**MARLBOROUGH COMMUNITY AIR QUALITY ACTION PLAN**

Members noted a report by the Town Clerk and commented on items listed in the revised Action Plan prepared by Transition Marlborough. These comments would be passed to the Chairman of the Area Board, as requested.

223/16

**SECTION 14(1) OF THE ROAD TRAFFIC REGULATION ACT 1984 –  
TEMPORARY CLOSURE OF GRANHAM CLOSE, MARLBOROUGH (TTRO  
4451)**

Members noted an order issued by Wiltshire Council to close temporarily to all traffic UC Granham Close, Marlborough from its junction with A345 Pewsey Road/Granham Hill for its entire length to enable Thames Water to install a mains clamp in carriageway. The Order will come into operation on 3<sup>rd</sup> October 2016 and it is anticipated to be closed between 07:00 and 18:00 daily until 7<sup>th</sup> October.

Members noted that the last day of anticipated closure was the same date as the road closure for Little Mop Fair, and asked the Town Clerk to advise Wiltshire Council of this.

224/16

**NEWSLETTER**

Members noted the latest newsletter from Wiltshire Council Highways

225/16

**NEIGHBOURHOOD PLANNING**

The data gathered at the open days was being compiled and audited by the working groups. There was now a separate working group to address traffic and parking. More open days had been arranged for Minal, Manton and Preshute Parishes and St John's School. The Transition Marlborough report on air quality had been helpful input.

The meeting closed at 9.40 pm

Signed .....  
Chairman

Date .....