

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	11 th October 2012
Application Number	E/2012/0923/FUL
Site Address	Bridewell Street (A4), Marlborough, Wilts
Proposal	Alteration to existing boundary walls and gates to facilitate the installation of a puffin pedestrian crossing
Applicant	Marlborough College
Town/Parish Council	MARLBOROUGH
Grid Ref	418522 168758
Type of application	Full Planning
Case Officer	Charlotte Douglas

Reason for the application being considered by Committee

This application and its listed building counterpart (next on this agenda) are being brought before the Committee at the request of the Division Member, Cllr Fogg. This follows the unanimous objection of Marlborough Town Council and a number of objections received from within the local community.

1. Purpose of Report

To consider the recommendation that planning permission is granted for the alteration of existing boundary walls and gates to facilitate the installation of a puffin pedestrian crossing.

2. Report Summary

This report seeks to discuss:

- a) The principle of a puffin crossing in this location;
- b) The impact of the proposed development on the fabric and setting of the listed building;
- c) The wider visual impact on the Marlborough conservation area; and
- d) The impact on highway safety.

3. Site Description

Bridewell Street forms a section of the A4 which runs through the centre of Marlborough. This particular section runs from High Street and Pewsey Road into Bath Road heading west out of the town. This area of the town falls within the Marlborough conservation area and the North Wessex Downs Area of Outstanding Natural Beauty (AONB) washes over the settlement.

On the south-west side of the street is the northern extent of the main campus of Marlborough College; the walls and buildings which bound this side of the road are listed. On the north-east side of the road is the Marlborough College Art building; the walls and gates associated with this building are unlisted.



4. Planning History

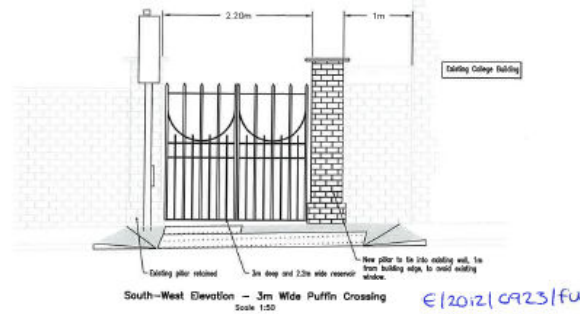
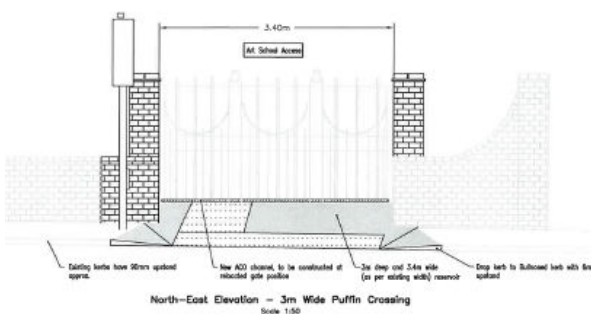
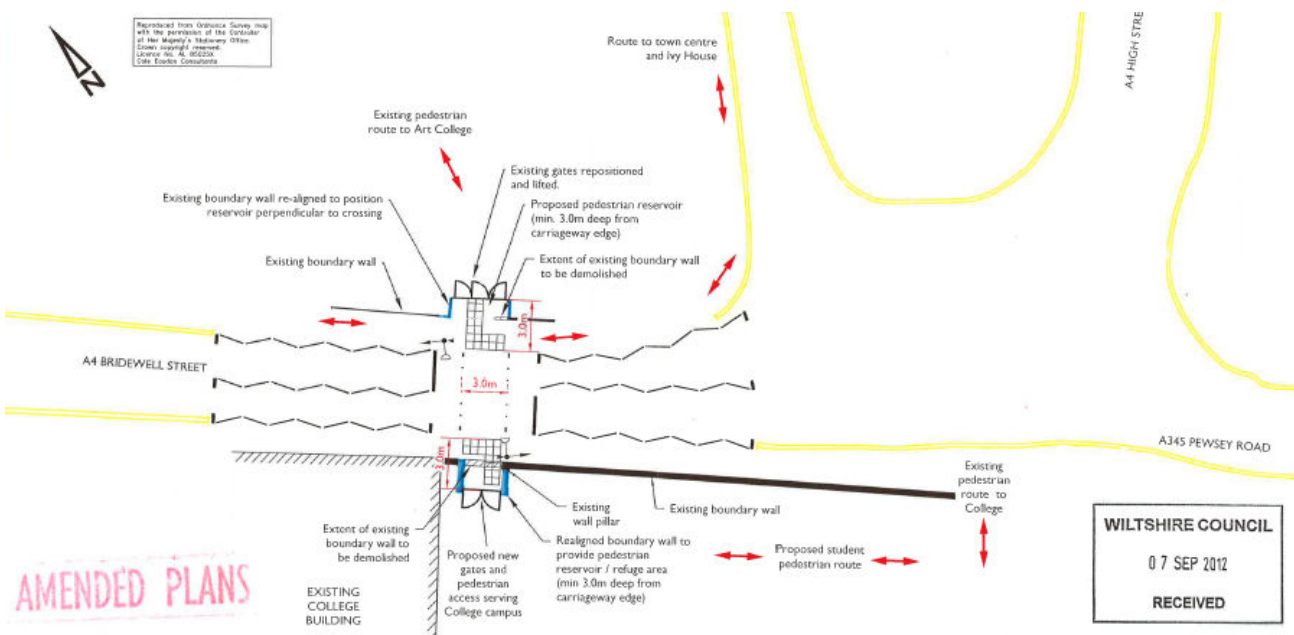
There is no relevant planning history.

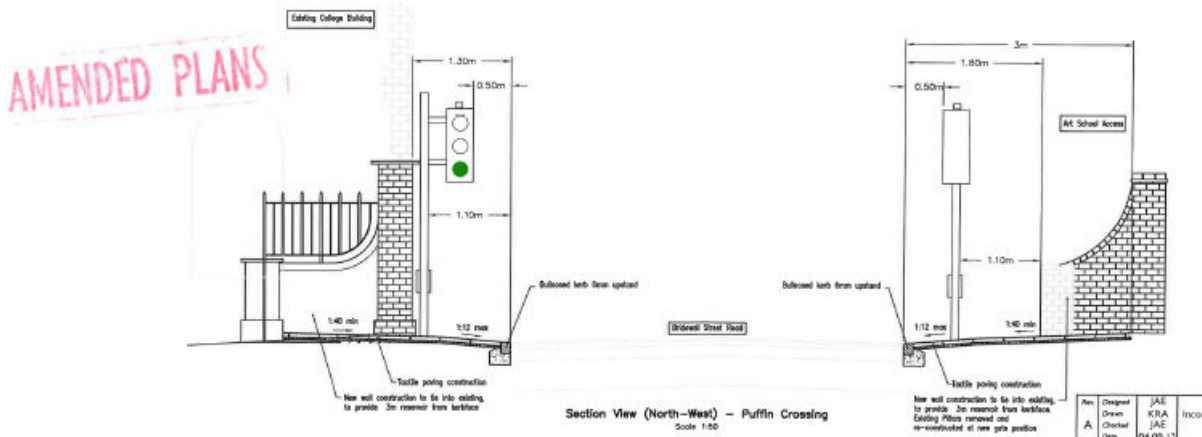
5. The proposal

This application seeks planning permission for the following development:

- The creation of a new pedestrian access through an existing wall and onto the pavement on the south-west side of Bridewell Street. A 2.2m section of wall would be demolished as part of the proposals. A new wall pillar would be built on the north-west section. From the existing and new pillars a pair of walls would extend back 2.2m onto which an inward opening gate would be mounted. These sections of wall have been designed to be curved in height from 1.8m to 1.1m at the rear.
- On the north-east side of Bridewell Street the existing gates and walls are flush with the pavement boundary. It is proposed to demolish a 0.8m section of wall. From the remaining walls a new 1m section of wall would be built, at the end of which the existing gates would be repositioned.

This application is therefore proposing wall and gate alterations only. The puffin crossing and the works within the highway to create this including the alterations to the pavement, installation of traffic lights and any associated road markings do not require planning permission.





Works to the public highway to create the puffin crossing are subject to a separate process dealt with by the Local Highways Authority (Wiltshire Council Highways Development Control Team). This statutory process has yet to be undertaken by the Local Highways Authority in respect of proposed puffin crossing. This process includes a statutory consultation process. This will have a 4 week timescale and would include consultation with Marlborough Town Council, Division Members, Marlborough Area Board, advertisements in the local press and a site notice. When this happens, this will provide interested parties with an opportunity to comment on the principle of the puffin crossing, for example in respect of issues such as highway safety. As such, the principle of the puffin crossing and its impact on the highway will not form any part of the following assessment.

6. Planning Policy

National Planning Policy Framework Policy 2012 (NPPF): Section 7 'Requiring Good Design', Section 12: 'Conserving and enhancing the historic environment'.

Wiltshire and Swindon Structure Plan 2016 (saved policies): HE7 Conservation Areas and Listed Buildings.

Kennet Local Plan 2011 (saved policies): PD1 'Development and design'.

7. Consultations

Marlborough Town Council

RESOLVED:

- (1) unanimously that Marlborough Town Council objects to this application on the grounds that the publicly displayed notice for this application is at variance with the application that this Council has been asked to comment on, thus invalidating the application;
- (2) that with regard to the application as presented to the Town Council, this Council objects most strongly, on the grounds that the proposed alteration to the footpath and adjoining listed wall are not necessary as the Council objects even more strongly to yet another controlled crossing in such close proximity to two existing crossings and a busy mini roundabout junction. The proposed additional puffin crossing would cause unacceptable noise levels to nearby residents and would result in unacceptable traffic congestion at peak periods for vehicles entering and exiting the town.

Campaign to Protect Rural England (CPRE): 'We believe the over-riding interest should be the Marlborough Community's interest in preventing any worsening traffic congestion and air quality. We call for a more sustainable proposal causing less inconvenience to the town'.

Wiltshire Council Highways – key points summarised below:

- With the new Ivy House accommodation block, a puffin crossing in this location would increase safety and convenience for pedestrians;
- Alternatives have been considered and this is the safest option;
- The distance between existing crossings is too far from the pedestrian desire line in this location to sensibly expect students to use the existing crossings as an alternative to the creation of a new crossing;
- Crossings must be on desire lines otherwise a crossing would remain unused;
- The proximity of the crossing to the roundabout is not unusual and is acceptable;
- The crossing would not have an undue effect on congestion; congestion is a result of other factors. Furthermore, sophisticated puffin crossing designs can have sensors and software programming to mean that they can minimise impact on traffic flow;
- Width of access should be a minimum 2.5m (preferably 3m) wide, proposed 2.2m is too narrow; and
- Requirements for landscaping within the grounds to ensure that students use the proposed gate rather than the existing narrow footway.

Wiltshire Council Conservation Officer – no objection to amended plans. Summary of response:

- West walls curtilage listed, walls on east side are modern and not listed;
- All of the proposal falls within the Marlborough conservation area;
- Objection to failure to submit an assessment of significance of part of the listed building to be affected and the impact the proposal would have on this identified significance with the application;
- Wall is significant and sensitive; and
- Suggestion of less damaging proposal would be an iron gateway in the proposed opening to replace the originally proposed back wall with students routed through the site towards the crossing (note: the amended plans satisfactorily address this point).

8. Publicity

This application was advertised by press advertisement, neighbour notification letters and site notice. Ten households have objected to the scheme. The comments that have been received have been summarised below. They have been categorised into topic areas of impact on historic assets and highway safety.

Comments about affecting fabric of listed building and conservation area

- Unnecessary changes to building fabric
- Change the aesthetic of the place

Comments about highway safety issues

- Proposals for a puffin crossing in this location in 2008 were turned down; the arguments which resulted in it being turned down at that stage are still valid and the circumstances have not changed in a way since then which would make this proposal now acceptable.
- Lack of valid evidence/data to justify the need for the crossing such as accident statistics. The number of additional pedestrians generated by Ivy House development would be limited, insufficient to warrant a new crossing.
- Existing crossings and pedestrian facilities within close proximity to this proposal are sufficient / adequate and only a short walk away from the proposal site.
- Lack of consideration of wider alternatives that do not involve a new crossing.
- The issue of the puffin crossing should have been dealt with in advance of the application to change the walls, so the principle of the crossing could be decided in advance of such an application as this being considered.
- Crossing will result in congestion resulting in an increase in traffic safety hazards, fume emissions and create more difficulty for passage of emergency vehicles. This problem will

be exacerbated because of this addition being so close to two existing uncoordinated pedestrian crossings.

- Narrow nature of the pavement on west side would not be suitable for increased pedestrians.
- Recess would not be safe as large groups of children would still need to walk on the narrow pavement to reach the recess, an access through the wall would be safer.
- Unsafe place to locate crossing because of poor visibility north, resulting from the existing very sharp bend.
- Noise nuisance would result from the beeping which would emanate from crossing.
- Additional street furniture would be visually unattractive and confusing for drivers.

One letter of support has also been received:

- Benefit/improvement to safety of students and public alike.

9. Planning Considerations

a) Principle of a puffin crossing in this location

As explained in section 5 of this report, the puffin crossing and the works to the pavement and road to create the crossing do not require planning permission. The Local Highways Authority is statutorily required under relevant highway legislation, before establishing a puffin crossing, to give public notice of that proposal. This consultation process has yet to be carried out. Following this period of notice the proposal would be considered by officers of the Local Highways Authority with the final decision being made by the Cabinet Member for Highways and Transport.

b) Impact on the listed building and conservation area

Section 7 of the National Planning Policy Framework and saved Local Plan Policy PD1 requires development to have a quality in design that responds to the character of the existing building and surrounding townscape. Section 12 of the NPPF and saved Structure Plan Policy HE7 specifically require that the fabric of listed buildings and the wider historic environment is both conserved and enhanced through development.

Bridewell Street South-West Alterations

Marlborough College is a Grade II listed building. The walls on the south-west side of Bridewell Street form part of this listed building; a section of uninterrupted 2m high brick wall extending out from the Old Sick House forming an attractive feature of the listed building and the wider street scene. The changes to this section of wall would directly alter the fabric of the listed building, which is subject to parallel consideration in the counterpart application for listed building consent (E/2012/1121/LBC).

Fundamentally, as with any listed building, the preference is for the building to remain in its original state; where this is not possible the imperative is to find the least harmful solution. Any negative impacts arising from the wall alterations must be weighed against the potential benefits from the increased safety of the students moving between parts of the College and the town.

The original proposal involved the creation of a pedestrian reservoir by the construction of a recession/alcove within the listed wall. The creation of a recession/alcove would have resulted in an uncharacteristic change to the wall which would not have reflected any part or feature of the existing listed building. It also would have resulted in a blank wall directly in front of a window in the south elevation of the Old Sick House; this would have removed any vantage out from the existing room across the grounds. As such this proposal was considered to unacceptably impact on the character of the listed building.

Discussions between the applicant and the Council's Conservation Officer have resulted in an amended proposal being submitted. The revised design, to show an opening in the wall with a recessed gate, is considered to be much more sympathetic in its impact on the listed building. The principle of a gate through a wall is more commonly expected and has a more readily apparent purpose and functionality. The proposal in style and form reflects a number of other accesses on the perimeter of the college site and on their more modern additions. The impact on the Old Sick house would be much improved as the wall would curve and drop down to a height in line with the bottom part of the south elevation windows and the design of the gates and fencing would enable a continued vantage from within the room of the affected window.

The Local Highways Authority has commented that the width of the access proposed is too restrictive, suggesting a minimum width of 2.5m with a preference of a width of 3m. This would increase the ease of use of the access as it would allow more students to pass through. However, it is considered that this width increase would cause unacceptable harm to the listed building. The current design has a width which is constrained both by the desire to retain the existing pier, minimising the amount of demolition required, and to allow a sensitive distance from the south building line of the Old Sick House. A widening of this would result in further unnecessary harmful intervention into the fabric of the listed building, and as such is not supported.

It is important that the detail of any proposal where alterations to listed buildings are concerned is of an appropriate level of quality to best sympathise with the existing. At this stage no detailed information in respect of materials and their construction has been submitted. It is important that the extended wall is constructed to match the existing wall. This can be covered by an appropriately worded planning condition. Similarly, a condition can be used to require the gates to be constructed of metal and painted black.

Bridewell Street North-East Alterations

The walls/gates to the north-east of Bridewell Street do not form part of the listed building. They do, however, fall within the setting of the listed building and within the Marlborough conservation area.

The walls are modern but have been built of materials and style to reflect the Marlborough College listed building and existing accesses. The proposed changes are fairly limited, such that the change in the long term would be imperceptible in the street scene.

c) Impact on the highway safety of the access to be altered and created

The proposal has been designed to be minimal in the degree of change. The changes to both the north-east and south-west sides of Bridewell Street would have new walls and gates, both of which would be recessed back from the highway. The proposed gates would be inwardly opening. As such the proposals would not result in any obstruction to the public highway, either pedestrian or vehicular.

10. Conclusion

The amended proposal for alterations to existing boundary walls and gates is considered to have limited impact on the fabric and setting of the listed building and the Marlborough conservation area, subject to the puffin crossing being considered and granted through its own statutory process. In the event that the puffin crossing is not allowed by this process the proposed alterations to the listed wall to facilitate this would not be justified. Any planning permission granted should therefore be subject to a condition preventing the alterations to the listed wall until the necessary consents under the relevant highway legislation have been obtained and a contract has been agreed to construct the new puffin crossing.

RECOMMENDATION:

That planning permission be GRANTED for the following reason and subject to the conditions as listed below:

Having regard to the relevant development plan policies, in particular saved policy PD1 of the Kennet District Local Plan 2011, saved policy HE7 of the Wiltshire and Swindon Structure Plan 2016 and the Sections 7 and 12 of the National Planning Policy Framework 2012 and all other material planning considerations, the proposal is considered to be acceptable, subject to the conditions imposed.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence to alter the listed wall on the south-west side of Bridewell Street until the necessary consents for the new puffin crossing under the relevant highway legislation have been obtained and a contract has been agreed to construct the crossing.

REASON: The works to the listed wall are only acceptable where they are required to facilitate a puffin crossing.

3. The brickwork for the new sections of wall shall match the existing sections of wall adjacent in terms of size of bricks, their colour, texture and brick bond, and pointing and jointing details.

REASON: To safeguard the character and setting of the listed building and the character and appearance of the conservation area.

4. The new gates on the south-west side of Bridewell Street shall be of metal construction and painted black.

REASON: To safeguard the character and setting of the listed building and the character and appearance of the conservation area.

5. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Location Plan: Plan 3433/220 received by the Local Planning Authority on the 20 July 2012, Engineering Works Association with Proposed Puffin Crossing on Bridewell Street: 3433/SK/203 Rev C, Sections and Elevations of Puffin Crossing on Bridewell Street: 3433/SK/300 Rev A and proposed Gateway and Pedestrian Access into College Campus from Proposed Pedestrian Puffin Crossing on Bridewell Street: 3433/SK301 received by the Local Planning Authority on the 07 September 2012.

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the Local Planning Authority.

Appendices: None

Background Documents Used in the Preparation of this Report: None