

Wiltshire Council Planning Consultation Response

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Application No: PL/2026/02313
Vary Condition 2 on PL/2023/03305 - Demolition of the existing buildings and construction of 28 affordable homes together with associated parking, access and landscaping
York Place, St Martins, Marlborough, Wilts, SN8 1AR

Please find following comments in respect of the above application(s).

Recommendations:

☐	Comments (for reasons set out below)
☐	Support
☐	Support subject to conditions (please set out below)
☒	Object (for reasons set out below)
☐	No objections

Scope of comments: the following comments relate to the built historic environment.

Policy: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 66 (PP) requires that **special regard** be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 214-216 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 210 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) "enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development" and "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."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

Site: The site is a key prominent brownfield site within Marlborough Conservation Area. It also affects the setting of numerous listed buildings, including a neighbouring property 51/52 Saint Martins and a terrace of listed building located opposite.

Proposal: The proposal seeks to vary Condition 2 on PL/2023/03305 - Demolition of the existing buildings and construction of 28 affordable homes together with associated parking, access and landscaping

Relevant planning history: PL/2023/03305 - Demolition of the existing buildings and construction of 28 affordable homes together with associated parking, access and landscaping; ENQ/2022/01659

Issues: Impact on character and appearance of conservation area; impact on setting of listed buildings.

Assessment: In heritage terms the principle of the redevelopment of this site is acceptable subject to a high quality sensitive and sympathetic scheme.

In conservation terms the team negotiated hard to agree the previous approved scheme and even so I had design and conservation concerns regarding the location of the bin store on the St Martins elevation since this would create dead frontage on the principle elevation which is prominent in the conservation area. However this was agreed as a compromise.

This proposal seeks now to also locate an electricity substation on the front elevation adjacent to the bin store, thereby creating two double louvered doors which would further worsen this situation by creating twice as much dead frontage in this primary elevation. This is unacceptable in conservation terms and an alternative less prominent location needs to be found for the proposed electricity substation. This could be sited to the rear of the blocks or within the car park area.

Para 140 of the NPPF clearly states that:

Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made

to the permitted scheme (for example through changes to approved details such as the materials used).

Summary & conclusion: The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The proposals will result in harm to the character of the conservation area and the setting of nearby listed buildings through the creation of additional dead frontage on the primary elevation of the proposed development. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas and Sections 66 requires that **special regard** be given to the desirability of preserving the settings of listed buildings. In addition the proposal would be contrary to Para 140 of the NPPF which seeks to prevent the watering down of design quality between permission and completion.