

MALMESBURY TOWN COUNCIL

**MINUTES OF THE PLANNING AND ENVIRONMENTAL ISSUES
COMMITTEE MEETING HELD ON 31 JULY 2007 IN THE
COUNCIL CHAMBER, TOWN HALL, MALMESBURY AT 7 PM**

PRESENT: Councillor: J Bowen, Mrs C C Doody, S Killane, J E F Poole, M H Snell, C M Vernon, A C R Woodcock, P Rice - Deputy Town Clerk (Minutes).

Members of Public: 5 Members of Press: None

Apologies:- -

Also in attendance: Councillor W Blake

Non-Attendance: Councillor Mrs A Davis

1. PUBLIC QUESTION TIME

Cllr Blake advised that people living on Reeds Farms had commented on the noise issues on certain nights during the highly successful Womad festival. The meeting was advised that took place between the organisers and local environmental health officers on a daily basis on site throughout the festival. However it was resolved that comments should be passed onto district council in a balanced manner and Phil Rice will write.

ACTION PHIL RICE

2. **MINUTES** It was resolved that the minutes of meeting held on 12 July 2007 be signed as a true record however Cllr Blake felt that in the section 5, second paragraph that it had been resolved that Cllr Sanderson should chair the car parking working group. The minutes are to be amended to reflect this point.

The Chairman also thanked Cllr Snell for filling in for him during his own enforced absence from planning duties.

On application 464, the Chairman commented on the archaeological issues covered in the minutes – these were in fact a restating of the relevant policy although the riverbed made these comments somewhat inappropriate.

Outstanding/incomplete from the last meeting

- Cllr Bowen has drafted a suitable resolution for consideration by the committee at the next meeting this being “From September 1st 2007 applications for tree surgery within the town be decided upon by the Chairman and one other committee member – this should enable the planning element to be heard in an uninterrupted manner” **ACTION PHIL RICE – PUT ON AGENDA FOR NEXT MEETING**
- We requested that bollards be placed at the Oxford Street end of Market Lane. It is not clear now whether funds will be available. Definitive information has been requested. **ACTION PHIL RICE**

- We have chased regarding the destroyed bollard in the lower High Street and await replacement but this could take some time.

ACTION PHIL RICE

- By the new Newnton Grove development, the dropped kerbs will be “filled in” following conversation with Cllr Sanderaon.

ACTION PHIL RICE TO DIARY

- The car parking group being formulated

ACTION CLLR DAVIS

3. DECLARATIONS OF INTEREST

Name	Application/item	Type of Interest	Nature of interest	Action
Cllr Killane	07/01744/FUL	Personal	Pecuniary	Left the room whilst this issue was discussed and voted upon
Cllr Vernon	0701986/FUL & 07/01987/LBC	Personal	Lives close by	Did not vote

4. PLANNING ISSUES

APPLICATIONS RECEIVED The applications on the attached schedule were tabled and comments forwarded to North Wiltshire District Council.

ACTION PHIL RICE

- On Planning Application 07/01744/FUL which was discussed at the last meeting, Cllr Snell attended a site meeting and was able to allay the committee’s previous concerns about the footprint of the property. As such the application was thus supported. See later.
- On applications 07/01987/LBC and 07/01986/FUL Cllr Snell asked that the minutes reflect that he abstained from voting.
- Meanwhile on 07/00966/FUL the committee resolved that a letter should be sent asking reassurance that there should be no further developments such as this in the flood plain.

ACTION PHIL RICE

- **Unresolved Planning Issues**

	Location	Issue	Action	Current Position
1	Manor House, Oxford Street and The Manse	It is thought that the owner of the property has made some inappropriate alterations to the interior of the building including stairs thought not in keeping with a Grade 2 listed	Phil Rice in dialogue with NWDC	310707 Latest position was in June that following Health & Safety plus Risk Assessments NWDC will do remedial

		building		work themselves, with costs charged back by way of charging order and this plus interest recovered on ultimate sale of the property ACTION PHIL RICE TO CHASE
2	Crossing at the new hospital site	No further information available on its siting	Phil Rice to chase issue	ACTION PHIL RICE TO CHASE

5 TO CONSIDER CURRENT PARKING AND ENVIRONMENTAL ISSUES

- Discussion was limited given the absence of Cllr Davis who is looking at the formation of the car-parking group.
- Cllr Killane expressed concern regarding the continued delay regarding the opening of the new play area particularly in respect of the environment, road safety and health & safety issues. He also felt strongly that the inability to use a “valuable facility” through the school holidays is deplorable. It was resolved that we should first speak to the Chairman of Leisure & Youth and Town Clerk and if appropriate write to the appropriate district officer and put out a press release.

ACTION PHIL RICE

- Members asked how many objections had been received regarding the proposed parking restrictions and Phil Rice will try to get this data.

ACTION PHIL RICE

5. CORRESPONDENCE, INFORMATION AND EXCHANGE OF INFORMATION

- We have received conditional notice of passing of plans for the town hall. The condition on this application is that “Structural calculations submitted being checked for compliance with Building Regulations”
- On other plans, the application for a two-storey house adjacent to 52 Corn Gastons (07/01315/FUL) has been refused. The applicants withdrew application 07/01331/FUL re a new dwelling in the garden of 2 Athelstan Road. This committee opposed. Application 07/01202/FUL for an extension at Bethany, Tetbury Hill, also opposed by this committee, has been refused.
- We have had acknowledgement that the wrongly painted stretch of road outside Chalcourt, Dark Lane is being investigated. Defect number 261186 has been allocated.
- Wiltshire County Council intend to impose a 30 mph speed limit along Rodbourne Road, Pound Hill and Church lane in the parish of Rodbourne.
- We received an anonymous letter from “Malmesbury Town Residents” regarding smoking and some drinking outside the Smoking Dog and the Rose & Crown public housed, something which neither the managers nor us can “control”. We have spoken to the managers having forwarded copies of the

letter. Members after some discussion felt that it was not appropriate to take any additional action given the anonymous nature of the letter.

- There are again allegations of anti-social behaviour in the entrance to Abbeyfield House which the district council have investigated and suggested a solution which appears impractical to the manager of the old people's home.
- Cllr Poole concern about the flooding in Station Yard and outside Lumley's following the recent huge rainfall.
- Should members wish to examine them, we have two documents available being "North Wiltshire Sustainability Checklist for Developments" and "Affordable Housing SPD". Meanwhile district council has acknowledged the feedback we provided on the Local Development Framework

DATE OF NEXT MEETING –TUESDAY 21 AUGUST AT 7 PM.

6. Meeting closed at 8.30 pm.

APPLICATIONS FOR PLANNING MEETING 31 JULY 2007

APPLICATION NUMBERS: NWDC 07/01744/FUL **MTC** 474/
PROPOSAL Two storey front extension 470
LOCATION 8 Willow View Close
APPLICANT Mr C & Mrs H Daines
DECISION

**SITE MEETING TO BE HELD AND
APPLICATION TO BE DISCUSSED
AT NEXT COMMITTEE MEETING
SUPPORT**

DECISION

APPLICATION NUMBERS: NWDC 07/00026/FUL **MTC** 475/
PROPOSAL (FURTHER AMENDED) Change of Use of School (D1) to 8460/
(NB -just recessed windows -7/07) Residential flats (C3) 434/
APPLICANT Wiltshire County Council 363

Trowbridge Wiltshire
Malmesbury Arts Centre
Malmesbury

DECISION

**NB 07/00027/CAC WAS WITHDRAWN - THIS PER NWDC SHOULD NOT
HAVE BEEN - WE ARE ASKED TO RECONSIDER**

APPLI'N WITHDRAWN

DECISION

SUPPORT IN PRINCIPLE BUT THE

**COMMITTEE DO NOT LIKE THE
LIFT BEING SO FAR AWAY FROM
THE BUILDING ITSELF AND
ADDITIONALLY THE MATERIAL TO
BE IS USED ARE NOT
SATISFACTORY. CAN THE LIFT BE
INCORPORATED IN THE BUILDING?**

DECISION (AMENDED PLANS)

DECISION (FURTHER AM'ND)

SUPPORT

SUPPORT

APPLICATION NUMBERS: NWDC 07/01076/LBC **MTC** 476
PROPOSAL Replace rear conservatory and intern'l
alterations to kitchen and existing
outbuilding

LOCATION 40 West Street

APPLICANT Mr J Hughes

DECISION

SUPPORT

APPLICATION NUMBERS: NWDC 07/01077/FUL **MTC** 477
PROPOSAL Replace rear conservatory and intern'l
alterations to kitchen and existing
outbuilding

LOCATION 40 West Street

APPLICANT Mr J Hughes

DECISION

SUPPORT

APPLICATION NUMBERS: NWDC 07/01878/FUL **MTC** 478
PROPOSAL Proposed first floor extension and

LOCATION	alterations
APPLICANT	33 White Lion Park
DECISION	Mr J Kuchczynski
	SUPPORT

APPLICATION NUMBERS:	NWDC	07/01192/COU	MTC	479/
		Erection of part single,		445

PROPOSAL (REVISED)

part two storey basement and ground floor side extension plus external and conversion of part basement to self contained two bed annexe, internal and external alterations to stable and change of use to two bed holiday accommodation, alteration to front boundary wall

LOCATION	Braxted House, 99 Gloucester Road
APPLICANT	Ms E Harris

DECISION	SUPPORT
DECISION (REVISED APPL)	SUPPORT

APPLICATION NUMBERS:	NWDC	07/00966/FUL	MTC	480/
PROPOSAL (FURTHER REVISED)		Residential development of five dwellings		467/415

LOCATION	Avon Edge, Dark Lane
APPLICANT	JMC Talbot & Partner, Redruth
DECISION	OPPOSE AS PER LAST SUBMISSION

**FELT THAT CONCERNS STILL NOT ADDRESSED AND THE PLANS MAY BE INACCURATE RE EXISTING GROUND LEVELS. THE PREVIOUS DECISION FROM THIS COUNCIL WAS:
OPPOSE. CONCERNED GREATLY ABOUT THE RISK OF FLOODS (PER POLICIES NE21 AND NE22) WHICH ARE NOT ADEQUATELY ADDRESSED IN THIS DEVELOPMENT. CI iv AND c3 iii ALSO APPLY**

ADDITIONAL COMMENTS TO SUPPORT DECISION ARE UNDER:

There remains a major problem that has arisen due to the incorrect setting out on site. One drawing has a note that the ground level between the houses and the river will remain the same as the floor level of the houses. It seems that they have been built between .6m and 1m higher. To deal with this problem a vast quantity of aggregate and top soil has been imported on to the site and laid particularly around plots 3 and 4. It is thought that about 500 tonnes has been laid and the job does not appear half completed. Another factor of this additional height is that the privacy and amenity of

Tanyard has been severely compromised - this has been exacerbated by the garden room of Plot 2 not being built in accordance with the latest plan ie large glazed doors have been built on the eastern elevation rather than the window shown.

The landscaping plan does not appear to have been followed.

A very large mature hedge was removed from the eastern boundary and the plan was to replace this with the addition of some fencing. The contractor is presently installing 6' high panel fencing and there does not seem to be any room for a hedge.

Clearly it would not be reasonable to demolish these houses but a different, more innovative solution is required to deal with the huge difficulty resulting from poor setting out. In particular the soil must be removed from the flood plain.

DECISION (AMENDED PLANS)

OPPOSE CITING THE SAME REASONS AS BEFORE

LATE APPLICATIONS FOR MEETING 31 JULY 2007

APPLICATION NUMBERS: NWDC PROPOSAL

07/01986/FUL **MTC** 481

Erection of dwelling in garden of 54 Gloucester Street and re-instatement of pedestrian access to Burnivale land adjoining 54 Gloucester Street Mr & Mrs Stevens

LOCATION APPLICANT DECISION

OPPOSE FOR THE FOLLOWING REASONS:

C3i, C3ii, C3iii, C3iv. IT IS ALSO FELT THAT THE DEVELOPMENT COULD ENCOURAGE AN ELEMENT OF FLOODING GIVEN THE POTENTIAL LOSS OF GRASS/SOIL ETC ON THE SITE OF THE NEW HOUSE. THE PROPERTY IS ALSO IN THE ENVIRONS OF A LISTED BUILDING SEE HE1 AND WOULD NOT BE IN KEEPING WITH THE CHARACTER OF THE AREA. WE WOULD ALSO DRAW YOUR ATTENTION TO THE REJECTED (BY YOU AND AT APPEAL) OF THE DEVELOPMENT AT 54 KINGS WALL, MALMESBURY. IT IS ALSO FELT THAT THE APPLICATION IS NOT IN KEEPING WITH EMERGING PLAN

APPLICATION NUMBERS: NWDC PROPOSAL

07/01987/LBC **MTC** 482

Erection of dwelling in garden of 54 Gloucester Street and re-instatement of pedestrian access to Burnivale land adjoining 54 Gloucester Street

LOCATION

APPLICANT

Mr & Mrs Stevens

OPPOSE FOR THE FOLLOWING REASONS:

DECISION

C3i, C3ii, C3iii, C3iv. IT IS ALSO FELT THAT THE DEVELOPMENT COULD ENCOURAGE AN ELEMENT OF FLOODING GIVEN THE POTENTIAL LOSS OF GRASS/SOIL ETC ON THE SITE OF THE NEW HOUSE. THE PROPERTY IS ALSO IN THE ENVIRONS OF A LISTED BUILDING SEE HE1 AND WOULD NOT BE IN KEEPING WITH THE CHARACTER OF THE AREA. WE WOULD ALSO DRAW YOUR ATTENTION TO THE REJECTED (BY YOU AND AT APPEAL) OF THE DEVELOPMENT AT 54 KINGS WALL, MALMESBURY. IT IS ALSO FELT THAT THE APPLICATION IS NOT IN KEEPING WITH EMERGING PLAN