

MALMESBURY TOWN COUNCIL

MINUTES OF THE PLANNING AND ENVIRONMENTAL ISSUES COMMITTEE MEETING HELD ON 26 FEBRUARY 2008 IN THE MARKET ROOM, 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: One Members of Press: -

Apologies: Councillor: Mrs A Davis

Also in attendance: Councillor: W G Blake

Non-Attendance: -

PUBLIC QUESTION TIME

None

1. **MINUTES** It was proposed by Cllr Snell; who chaired the last meeting and then resolved that the minutes of meeting held on 5 February 2008 be signed as a true record.

Points raised: None

2. PROGRESS ACTION POINTS FROM PREVIOUS MEETINGS

- Cllr Bowen has tried so far without success to contact the member of public who raised the issue of a seat on the Abbey Steps. However suitable drawings have been made following his meeting with Cllr Doody and he will again make contact with the above individual. Could the drawings be made available at or before the next meeting. **ACTION CLLR BOWEN**
- **DARK LANE**
Still waiting to hear regarding options for traffic calming. Visit site with Traffic Engineer. **ACTION PHIL RICE AWAITING RESPONSE FROM HIS CHASE DONE ON 5 FEBRUARY**
- **WRONG YELLOW LINING IN DARK LANE AREA**
Geoff Woodward of WCC has advised the utility companies within the area as the lines that they have installed are wrong he is asking them to re-line the area in the correct colour Primrose Yellow and 50mm width. Response still awaited **ACTION PHIL RICE AWAITING RESPONSE FROM HIS CHASE DONE ON 5 FEBRUARY**
- **TRUCKLE BRIDGE**
The cracks on the walls were getting worse and there was evidence of some initial cracking on the highway.

WCC have discussed damage with Julian Hanes in the bridge office, he is aware of movement in the parapets and will have another look at it this week / next week. He is not too concerned at this stage as the bridge is a concrete slab not an arch. He believes there is some movement on one of the abutments. This has been monitored for some time and if necessary appropriate action will be taken before the problem becomes too serious

ACTION PHIL RICE AWAITING RESPONSE FROM HIS CHASE DONE ON 5 FEBRUARY

- At the suggestion of Highways staff we have written to them to point out the potential need already for yellow lining etc on Tetbury Hill alongside the new Filands development. It had been suggested some time ago that any contact of this nature be postponed until the estate had been fully populated for six months. We await developments.

ACTION PHIL RICE AWAITING RESPONSE FROM HIS CHASE DONE ON 5 FEBRUARY

- **THE BURNIVALE WALL COLLAPSE AND THE APPARENT LACK OF PROGRESS ON REBUILD**

See content of a recent email below to Mr Elam who came to a recent committee meeting. Some of the wording has been changed to preserve some degree of anonymity:

“Two of the three householders are ready to move forward on this and seem to admit liability.

The district council has, as you know, had to bring in the county council who control the highways and after a suggestion that your road be closed (completely impractical I am sure you will agree) could, if required, force them under the Highways Act to repair the wall. If there is no cooperation, WCC will simply do the work and seek repayment from the three parties/their insurance companies. I understand that they have or are about to write.”

ACTION PHIL RICE TO FOLLOW UP AS APPROPRIATE BUT IN THE MEANTIME HE HAS RECEIVED COPIES OF SIGNIFICANT CORRESPONDENCE WHICH HE IS TO DISSEMINATE NOW

3. DECLARATIONS OF INTEREST

Name	Application/item	Type of Interest	Nature of interest	Action
None				

4. PLANNING ISSUES

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

ACTION PHIL RICE

Cllr Snell, whilst supporting the decisions to support the applications 575-579 re the Horsefair did not agree with the observations regarding windows.

- **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	February 2008 NWDC taking legal action but having problems contact relevant party

		building		ACTION PHIL RICE TO CHASE AGAIN APRIL 2008
2	6 Gloucester Street	Erection of unsuitable sign and internal alterations done without planning permission.	Phil Rice to report to NWDC	ACTION PHIL RICE TO REPORT NOW.

6. TO CONSIDER CURRENT PARKING AND ENVIRONMENTAL ISSUES AND SPECIFICALLY THE USE OF HEAVY VEHICLES IN SUCH AREAS AS GLOUCESTER ROAD CAUSING PROBLEMS FOR OTHER MOTORISTS AND PEDESTRIANS

- The specific topic above was originally raised by Cllr Blake, following his own observations and concerns raised by members of the public to him regarding both safety and potential road/property damage. Cllr Snell whilst sympathising with these views mentioned that satnav systems have certainly contributed to this. In the meantime we are to seek the views of the Civic Trust and the Malmesbury Residents Association. Following the meeting Cllr Snell advised that for large and/or wide loads of a more unusual nature, WCC now ask Mouchels to provide suitable advice. Additionally this topic is to go on the agenda for the next meeting and it would be helpful if any guidelines on vehicles weight and length could be obtained.

ACTION PHIL RICE (3 points)

- Cllr Snell is to update members with progress etc regarding the Parking Working Group in the next few days. **ACTION CLLR SNELL**
- Cllr Blake also expressed concern about the proposed yellow lining at the end of Reeds Farm and does not feel that this represents the views of the public. The Chairman brought Cllr Blake up-to-date with the position here and in response to Cllr Poole's comments we are to write about the delayed implementation of the yellow lining. **ACTION PHIL RICE**

7. CORRESPONDENCE AND EXCHANGE OF INFORMATION

- WCC has, as previously advised, issued a draft Rights of Way Improvement Plan and it intended that this be on the agenda for the planning meeting on 18 March. **ACTION PHIL RICE FOR AGENDA NEXT MEETING AND BRIEFING PAPER TO BE PREPARED IN ADVANCE**
- Phil Rice would like to express his thanks for the support his colleagues gave on planning during his recent holidays.
- We have been advised by WCC that it does not propose to take enforcement action against Hyams Autos in relation to the car parking spaces occupied by the company after discussion with their own barristers. This is mainly because of the projected cost "would be disproportionately costly and of insufficient public benefit". Members resolved that we should contact WCC suggesting that in the light of this decision there seems no reason whilst the white lining

of the car parking could not now proceed. **ACTION PHIL RICE TO WRITE (ALSO TO REQUEST A PLAN OF THE CAR PARKING SPACES) AND ALSO PUT ON THE AGENDA FOR THE NEXT MALG MEETING**

- WCC has also advised that as from 31 March 2008 Part 6 of the Traffic Management Act comes into effect which replaces the relevant part of the Road Traffic Act 1991 relating to decriminalised parking enforcement.
- Whilst very much a technicality, there had been an application received prior to the explosion in the Horsefair from Mr Brown for a first floor window and this has now been set aside under the relevant legislation.
- Cllr Killane felt that the Newton Grove play area should be closed down fearing a potential fatality or similar and it was resolved that we should write to Westlea Housing, copying in NWDC pointing out the situation and would like to see an Rospa inspection done with the results published to interested parties including this council. **ACTION PHIL RICE TO WRITE**

8. DATE OF NEXT MEETING – TUESDAY 18 MARCH 2008 AT 7PM AGAIN IN THE MARKET ROOM

9. Meeting 8.15 pm.

APPLICATIONS FOR MEETING 26 FEBRUARY 2008

APPLICATION NUMBERS	08/00222/FUL	MTC	572
PROPOSAL	Erection of detached dwelling & double garage		
LOCATION	Land adj 45 Parklands		
APPLICANT	Miss A Parkinson		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00176/COU	MTC	573
PROPOSAL	Change of use from A1 (shop) to A2 (office)		
LOCATION	7A Gloucester Street		
APPLICANT	Elliot Properties		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00183/FUL	MTC	574
PROPOSAL	Porch		
LOCATION	9 Alexander Road		
APPLICANT	Mr N Amin		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00331/LBC	MTC	575
PROPOSAL	Reinstatement of Dwelling Due to gas explosion		
LOCATION	34 & 36 Horsefair		
APPLICANT	Mrs Farr & Mrs Brown		
DECISION	SUPPORT BUT WOULD LIKE TO		

**MAKE OBSERVATION THAT
WINDOWS ARE REPLACED BY
SUITABLE WOODEN ONES AS PER
THE ORIGINAL 17TH CENTURY
MULLION ONES. AT SOME STAGE
IN RECENT YEARS UPVC OR
SIMILAR ONES WERE PUT IN
PLACE**

APPLICATION NUMBERS	08/00330/FUL	MTC	576
PROPOSAL	Reinstatement of dwelling due to gas explosion		
LOCATION	34 & 36 Horsefair		
APPLICANT	Mrs Farr & Mr Brown		
DECISION	SUPPORT BUT WOULD LIKE TO MAKE OBSERVATION THAT WINDOWS ARE REPLACED BY SUITABLE WOODEN ONES AS PER THE ORIGINAL 17TH CENTURY MULLION ONES. AT SOME STAGE IN RECENT YEARS UPVC OR SIMILAR ONES WERE PUT IN PLACE		
APPLICATION NUMBERS	08/00327/LBC	MTC	577
PROPOSAL	Reinstatement of dwelling due to gas explosion		
LOCATION	34 & 36 Horsefair		
APPLICANT	Mrs Farr & Mr Brown		
DECISION	SUPPORT BUT WOULD LIKE TO MAKE OBSERVATION THAT WINDOWS ARE REPLACED BY SUITABLE WOODEN ONES AS PER THE ORIGINAL 17TH CENTURY MULLION ONES. AT SOME STAGE IN RECENT YEARS UPVC OR SIMILAR ONES WERE PUT IN PLACE		
APPLICATION NUMBERS	08/00329/LBC	MTC	578
PROPOSAL	Reinstatement of dwelling due to gas explosion		
LOCATION	30 Horsefair		
APPLICANT	Mrs A Walters		
DECISION	SUPPORT BUT WOULD LIKE TO MAKE OBSERVATION THAT WINDOWS ARE REPLACED BY		

SUITABLE WOODEN ONES AS PER THE ORIGINAL 17TH CENTURY MULLION ONES. AT SOME STAGE IN RECENT YEARS UPVC OR SIMILAR ONES WERE PUT IN PLACE

APPLICATION NUMBERS	08/00328/FUL	MTC	579
PROPOSAL	Reinstatement of dwelling due to gas explosion		
LOCATION	30 Horsefair		
APPLICANT	Mrs A Walters		
DECISION	SUPPORT BUT WOULD LIKE TO MAKE OBSERVATION THAT WINDOWS ARE REPLACED BY SUITABLE WOODEN ONES AS PER THE ORIGINAL 17TH CENTURY MULLION ONES. AT SOME STAGE IN RECENT YEARS UPVC OR SIMILAR ONES WERE PUT IN PLACE		
APPLICATION NUMBERS	08/00307/FUL	MTC	580
PROPOSAL	Replacement sun lounge		
LOCATION	2 Burnham Road		
APPLICANT	Mrs Farrow		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00252/FUL	MTC	581
PROPOSAL	External flue		
LOCATION	8 Parkmead		
APPLICANT	Mr A Sharpe		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00301/FUL	MTC	582
PROPOSAL	2 storey extension		
LOCATION	18 Old Railway Close		
APPLICANT	Miss Voller		
DECISION	SUPPORT		
APPLICATION NUMBERS	07/02654/OUT	MTC	583
PROPOSAL (REVISED)	Demolition of 4 Pool Gastons Road & erection of 3 dwellings		
LOCATION	Land at 4 Pool Gastons Road		
APPLICANT	Mr & Mrs E Shellard		
DECISION	OPPOSE. THE DEVELOPMENT WILL PROVIDE LOW LEVELS OF PRIVACY AND CREATE LOSS OF PRIVACY FOR NEIGHBOURS. C3iii		
plus further revision received 250208			

OF THE NWDC LOCAL PLAN REFERS. WE HAVE CONCERNS ALSO ABOUT THE CAR PARKING AND VEHICULAR ACCESS TO THE SITE. POLICY C3vii OF THE LOCAL REFERS.

DECISION (REVISED) OPPOSE. DEVELOPMENT STILL WILL PROVIDE LOW LEVELS OF PRIVACY AND CREATE LOSS OF PRIVACY FOR NEIGHBOURS. C3iii OF THE NWDC LOCAL PLAN REFERS. WE HAVE CONCERNS ALSO ABOUT THE CAR PARKING AND VEHICULAR ACCESS TO THE SITE. POLICY C3vii OF THE LOCAL REFERS.

LATE APPLICATIONS FOR MEETING 26 FEBRUARY			
APPLICATION NUMBERS	08/00351/FUL	MTC	584
PROPOSAL	Conservatory		
LOCATION	33 Michael Pyms Road		
APPLICANT	Mrs Dent		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00371/TCA	MTC	585
PROPOSAL	Tree surgery to two yew trees and one sycamore tree		
LOCATION	Highridge, Park Road		
APPLICANT	Mrs Ratcliffe		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00342/TCA	MTC	586
PROPOSAL	Fee pear tree		
LOCATION	30 Back Hill		
APPLICANT	Mr & Mrs Davies		
DECISION	SUPPORT		
APPLICATION NUMBERS	08/00368/TCA	MTC	587
PROPOSAL	Fee apple, plum and pine tree		
LOCATION	50 Kings Wall		
APPLICANT	Mr Rogers		
DECISION	OPPOSE. WOULD LIKE TO SEE A REPORT FROM THE TREE OFFICER FROM NWDC GIVEN THE LACK OF INFORMATION AND IN ANY CASE DO NOT CONSIDER THAT THESE TREES ARE A RISK TO THE PUBLIC		
APPLICATION NUMBERS	08/00369/TCA	MTC	588

PROPOSAL Tree surgery to three Western cedars
LOCATION The Foundry House, 49 Foundry Road
APPLICANT Mr Ratcliffe
DECISION **SUPPORT**

APPLICATION NUMBERS 08/00302/LBC **MTC** 589

PROPOSAL Replace existing windows with double glazed units and erect timber canopy above front

LOCATION 21 St Marys Street
APPLICANT Barley Mow Dental Care
DECISION **SUPPORT**
