

MALMESBURY TOWN COUNCIL

MINUTES OF THE PLANNING AND ENVIRONMENTAL ISSUES COMMITTEE MEETING HELD 16 DECEMBER 2008 IN THE TOWN HALL, MALMESBURY AT 7 PM

PRESENT: Councillor: W G Blake (Chairman), The Mayor, Cllr A C R Woodcock,
Mrs C C Doody, J E F Poole, R F Sanderson, M H Snell, C M Vernon,
P Rice - Deputy Town Clerk (Minutes)

Members of Public: None Members of Press: None

Apologies: - -

In attendance: - -

Non-Attendance:- Councillor: J Bowen, M Thomas

PUBLIC QUESTION TIME

- None

1 MINUTES

It was resolved that the minutes of meeting held on 25 November 2008 be signed as a true record.

Points raised:

- None

2 PROGRESS ACTION POINTS FROM PREVIOUS MEETINGS

NB The figures in brackets are the dates when the issue was first raised.

- **(10/07)** Regarding the proposed steps half way up the Abbey Steps, Cllr Snell had been waiting feedback and costings following submission of his drawings. However relevant information was provided to Phil Rice by Cllr Snell after the meeting and will be acted upon. **ACTION PHIL RICE**
- **(7/08)** We have provided NWDC with the information required regarding a new road sign on St Mary's Lane and have chased for a response. **ACTION PHIL RICE AWAITING DEVELOPMENTS – CHASE SAY 2 JANUARY IF REQUIRED**
- **(11/07)** All parties are ready to proceed regarding the rebuild of the wall at Burnivale but it appears that the insurers are not in agreement on presumably each other's liability despite the fact that the households affected have agreed on joint action. We can only diary forward, **ACTION PHIL RICE TO MONITOR IN MID MARCH IF REQUIRED**
- **(10/8)** It would appear following the meeting with the Head that the request for concessionary passes for the parents will be favourably looked on following an exchange of telephone calls between Phil Rice and Cllr Sanderson. Cllr Sanderson indicated that there are precedents for this in the district. **ACTION PHIL RICE TO CHASE MID JANUARY IF NO PROGRESS IN MEANTIME**
- **(10/8)** Meanwhile the police have advised us that it might be better to contact the Warden & Freemen regarding illegal parking in Market Lane as the tenants and users of the two public houses are thought to be the main "contributors". The police have so far been reluctant to take any action as they are not convinced that generally serious obstruction is being caused. We now await feedback from the Warden & Freemen. **ACTION PHIL RICE TO CALL IN AT OFFICE ON FRIDAY AFTERNOON**

- **(11/08)** Cllr Snell had previously successfully sought approval from the committee to the request for additional yellow lining outside 7 Katifer Lane as covered in the minutes of the last parking working group. **ACTION PHIL RICE TO AWAIT COMMENTS FROM RELEVANT REQUEST MADE TO WCC. DIARY 2 JANUARY IF NO PROGRESS**
- **(11/08)** Cllr Sanderson had suggested at the last meeting that the bus stop area in Park Road in front of the bungalow be marked in the usual white paint “Bus Stop” to help prevent the problems of buses not always stopping. There is apparently a dispute about ownership of this strip of land and Cllr Sanderson is still pursuing the land ownership issues but has spoken to Andrew Wyatt at WCC about the white lining. **ACTION CLLR SANDERSON**
- The firewinder issues covered at the last meeting have been completed.
- **(11/08)** We await developments on the potential allotments discussed at the last meeting. **ACTION CLLR BOWEN**
- **(11/08)** Lux had recently complained about unsightly and “noisy” refuse bins in the long stay car park. Cllr Sanderson was able to advise members that this is in hand.

3. DECLARATIONS OF INTEREST

| Name | Application/item | Type of Interest | Nature of interest | Action |
|----------------|------------------|------------------|------------------------------------------------------|--------------------------------------------------|
| Cllr Sanderson | All | Prejudicial | He is a member of NWDC Development Control Committee | Did not speak or vote on any of the applications |

4. PLANNING ISSUES

- **APPLICATIONS RECEIVED** The applications at the end of these minutes were tabled and comments are to be forwarded to North Wiltshire District Council. **ACTION PHIL RICE**
- It should be noted that Cllrs Poole, Snell and Woodcock opposed application 08/02680/COU which was only supported on the Chairman’s casting vote.
- Members also discussed the recent applications regarding 31 Corn Gastons which this council has opposed on three occasions. It is to be discussed at tomorrow’s NWDC Development Control meeting and Cllr Sanderson will oppose it. It appears that there has also been dialogue with Cllr Miles, a non-member of that committee, who may be speaking against it. It was suggested that Cllr Sanderson speak to her ahead of the meeting with only one of them speaking against these plans which officers support.

- **Unresolved Planning Issues**

| | Location | Issue | Action | Current Position |
|---|-------------------------|-------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------------------|
| 1 | Oxford Street/The Manse | It is thought that the owner of the property has made some inappropriate alterations to the interior of the | Phil Rice in Ongoing dialogue with NWDC | OCTOBER 2008 NWDC taking legal action but matters still |

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|---|---------------------------------------|----------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | building including stairs thought not in keeping with a Grade 2 listed building | | proceeding slowly. Not enough data yet to prosecute on the Manse REVIEW JAN 2009 NB Little progress on The Manse as Enforc'ment need more evidence rather than "rumour" to gain access although a local organisation has written in about it. |
| 2 | St John's Cottage, 6 St John's Street | Felt breach of planning regulations here in respect of the roof and the dormer windows | June 2008 Phil Rice reported to NWDC | OCTOBER 2008 NWDC to look at property. CHASED 25 NOV 2008. AWAITING REPLY THUS CHASE NOW |

5. TO CONSIDER CURRENT PARKING ISSUES TO INCLUDE:

- **EXPLORING THE POTENTIAL OF REDUCING THE COST OF SEASON TICKETS ETC TO ENCOURAGE INCREASED USE OF THE LONG STAY CAR PARK BY RESIDENTS**

Cllr Snell outlined the thinking behind this whilst Cllr Sanderson has discussed this with a couple of local residents and whilst all agree that taking parked vehicles off the highway, particularly, at night is advisable, he felt that it is unlikely that any initiative would be looked at this side of unitary.

- **TO CONSIDER A RANGE OF QUESTIONS TO ASK LIZ BRIDGENS AND CHRIS MAJOR OF NWDC AND WCC PARKING SERVICES RESPECTIVELY AT THE COUNCIL MEETING ON 6 JANUARY 2009**

Members are asked to provide Phil Rice with a range of questions on this by 23 December to enable them to be tabled etc in time for the early preparation

of the 6 January Council meeting agenda..

ACTION ALL MEMBERS

We do have one question being how do we encourage the greater use of the long stay car park.

- Moving on Cllr Snell covered the recent Parking Sub Group meeting whilst Cllr Blake outlined the response from the meeting held in July with Cllr Reid which is attached to the end of these minutes.

6. TO CONSIDER CURRENT ENVIRONMENTAL ISSUES

- Cllr Sanderson mentioned that he had recently met Andrew Wyatt of WCC regarding potential improvements to traffic flow in the Horsefair area. Cllr Snell handed out large scale plans of the area and members should consider how improvements could be made and the topic is to go on the agenda for the next meeting.

ACTION ALL MEMBERS PLUS PHIL RICE

7. TO CONSIDER THE MINUTES OF THE MALG MEETING HELD ON 10 DECEMBER 2008.

- Cllr Vernon outlined the content of the recent meeting for which members have had the minutes. He emphasised the group's concern about the lack of progress on the Conservation Area Management Plan and the reluctance of the relevant officer at NWDC to attend a meeting. However we had learned at that meeting that this is now under the responsibility of the new authority to which we have written. However the management plan will now go to the NWDC executive which will give the document some limited use in the short term.

8. SUSTAINABILITY SYMPOSIUM/WORKSHOP FOR MALMESBURY – NEXT STEPS

- Cllr Vernon advised that invitations had gone out to interested parties and so far booking fees totalling £300 have been received with £75 known to be in the pipeline. Meanwhile an interesting public programme has been put together.

9. CORRESPONDENCE AND EXCHANGE OF INFORMATION

- A further site meeting is being held on 12 January at 2.30 pm to discuss road safety improvements at Basevi Close. Cllr Blake will be attending.
 - There has been an exchange of correspondence between ourselves and Malmesbury & St Paul Residents Association regarding parking in Market Lane.
 - We have received a letter from an affected resident about parking in the lay by along Park Road.
 - It appears that following discussions and correspondence with the district council, the latter are to serve a requisition for information notice this week regarding the collapsed wall at the back of 61 High Street as it backs on to 13 Kings Wall.
 - Members will be aware that we have been concerned about the exterior condition of a house along St Dennis Lane and we understand NWDC are to obtain an authority to enter.
 - We understand that there is serious graffiti on the wall to Ebley Tyres and we are to contact them or the landowner about this.
- ACTION PHIL RICE**
- We have been provided with the mechanics for parish improvement grants by Environmental Services at county.
 - We understand that the development at Stainsbridge House has slowed down.

- It would appear that certainly until the elections in June that the planning process in place now will remain largely similar to now.
- Cllr Sanderson indicated that he would find out the answer to Cllr Snell's recent concerns about the local planning guidelines in respect of the now popular hard standings on front gardens.

10. DATE OF NEXT MEETING – TUESDAY 13 JANUARY 2009 IN THE TOWN HALL.

11. Meeting closed at 8.35 pm.

RESPONSE OVERVIEW & SCRUTINY TO THE PARKING MEETINGS HELD WITH THE NORTH WILTSHIRE TOWNS INCLUDING MALMESBURY. OURS WAS HELD IN JULY 2008.

Thank you for the full and comprehensive report undertaken by the Overview and Scrutiny Task Group. The responses from the Town Councils, Chamber of Commerce and other stakeholders are very interesting and will be valuable when the new Wiltshire Council is developing its policies.

Wiltshire County Council currently does not have a full and comprehensive parking strategy and work will be undertaken to develop the necessary strategy after the vesting day on the 1st April 2009. There is a requirement to for all authorities to use national, regional and local level policies to provide a cohesive strategy with clearly defined objectives whilst balancing competing demands and viewpoints.

The strategy must be developed with regard to PPG 13 Transport, PPG3 Housing, PPG 6 Town Centre and Retail Developments, recently updated by PPS 6 Planning for Town Centres as well as the Local Transport Plan. Additionally a number of separate long term local policies have been developed by the district councils, such as the Salisbury vision and North Wiltshire 2020 which must be considered for the long term impact.

A parking strategy must be based upon sound consultation and wide stakeholder involvement. It must be consistent with and respond to national and regional guidance including the requirement to facilitate a model shift away from the private motor car for unsustainable journeys and promote more sustainable transport choices. This sometimes requires a local authority to make unpopular decisions with regard to parking charges to encourage the use of public transport, cycling and walking. The need to use revenue gained from parking charges for transport based schemes including increased links to public transport and improvements to the cycle infrastructure is also recognised.

It is also recognised that it is sometimes necessary to use parking charges as part of the overall traffic and network management plan. As stated by the Audit Commission in its Best Value report on a south coast authority "The Council needs again to look at charging, as the costs fall on all taxpayers and not just those who use the car parks. Councillors have pursued a policy of free parking because of the perception that it is necessary for the viability of the town centre shops. Free parking is also thought to prevent loss of trade to other shopping areas...but we found no clear evidence to support these assumptions. The council has also failed to challenge why the service is free. There was no evidence to demonstrate that the cost to the borough of around £200k represented best value". (Audit Commission report 2002).

For further evidence a report from the Association of Town Centre Managers (ATCM). The ATCM is concerned with promoting good practice in town and city centres and has identified car parking as a key ingredient of successful town centres. It has taken note of a pilot survey carried out in 2002 that investigated the level of parking provision at 170 town centres (including many smaller towns).The study covered all parking used by shoppers ie off street (public and private) and on street. The ATCM study indicates that there is no clear correlation between parking charges and retail performance. The Europe wide Cost 342 study also found little evidence of correlation but did indicate that public reaction to increased parking charges is usually short term. Parking demand falls for a period and then reverts to normal. There is also some evidence that a sharp reduction in parking charges does not result in a proportionate increase in car park use. It must be clear, though, that good access arrangements are a necessary but not sufficient pre-requisite for a successful town centre. A poor range of shops or other facilities or a poor quality environment can never be compensated for by any degree of parking or public transport access.

Car parks also cost significant amounts of money to run, in the region of £50-60k per annum to run, based on a 300 space car park, when such costs as National Non Domestic Rates, water and sewerage costs, machine maintenance and surface repairs are taken into account. For example, Borough Fields car park, Wootton Bassett, in the year preceding the introduction of charges for the first two hours had

an income of approximately £12k, leaving a significant shortfall that is funded by the general tax payer.

It is also recognised that a one size fits all approach may not work within a county of such diverse population and economic centres such as Wiltshire, each with their own challenges and local variances. Each area will be considered both individually and as part of the overall charging structure.

The car parking policy in some district councils is often set to deal with other service pressures in the general account. However, it is generally accepted, by transport professionals, that this is not an appropriate way to develop longer term transport strategy or to encourage more sustainable travel behaviour. Wiltshire County Council is committed to ensuring that the parking strategy will ensure that best value is achieved for all businesses, residents and visitors to the county including both sustainable transport options and good quality parking structures and locations.

Enforcement of the car parks currently owned by the District Councils is undertaken by the District Councils under the Traffic Management Act 2004. This Act gives the motorists the opportunity to appeal to the Traffic Penalty Tribunal, at no cost, when the motorist does not agree with the issue of the PCN. If enforcement was delegated to the Town Council, the Civil Parking Area agreement would no longer be valid for that car park or location and this would prevent the motorist from having access to this right of appeal and any enforcement would have to be undertaken by a magistrate court. The difference in enforcement regimes could lead to confusion on behalf of the motorists.

Alternatively, if the unitary did undertake enforcement and the asset was given/leased to the Town Councils etc the cost of enforcement would, dependent on recharge decisions by the authority, have to be paid by the lease holder to ensure best value. Failure to enforce a car park could lead to the car parks being full of vehicles failing to pay or overstaying the time limits leaving no spaces available for those who wish to visit and shop, damaging the economic viability of the town centres.

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| NUMBERS-NWDC | 08/02680/COU | MTC 725 |
| PROPOSAL | Change of use from light industrial/warehouse to tyre and exhaust fitting centre | |

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| LOCATION | Unit 10, Beuttell Way |
| APPLICANT | Harkness Tyre & Exhaust |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02621/LBC MTC 726 |
| PROPOSAL | Internal alterations to ground floor associated with change of use of part of ground floor to residential |
| LOCATION | 32-34 Gloucester Street |
| APPLICANT | Mr N Hird |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02620/COU MTC 727 |
| PROPOSAL | Part change of use of the ground floor from shop/ office (A1/A2/B1) to return to two units comprising the retention of a small office/shop (A1/A2/B1) to include whole shop front and the creation of one one bedroom flat (C3) to the rear |
| LOCATION | 32-34 Gloucester Street |
| APPLICANT | Mr N Hird |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02666/LBC MTC 728 |
| PROPOSAL | Renewal of previous permission (03/01247/s73) internal and external alterations to form two living units from existing living accommodation ancillary to shop 38 Gloucester Street |
| LOCATION | 38 Gloucester Street |
| APPLICANT | The Kit Box |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02665/FUL MTC 729 |
| PROPOSAL | Renewal of previous permission (03/01247/s73) internal and external alterations to form two living units from existing living accommodation ancillary to shop 38 Gloucester Street |
| LOCATION | 38 Gloucester Street |
| APPLICANT | The Kit Box |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02686/FUL MTC 730 |
| PROPOSAL | Five residential units |
| LOCATION | The Hawthornes, Old Alexander Road |
| APPLICANT | HSBC Trust Company (UK) Ltd |
| DECISION | SUPPORT |
| NUMBERS-NWDC | 08/02682/FUL MTC 731 |
| PROPOSAL | Extensions and alterations |

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|---------------------|----------------------------------------------------------------------------------------|----------------|
| LOCATION | 18 Ron Golding | |
| APPLICANT | Close | |
| DECISION | Mr G Trimble | |
| | SUPPORT | |
| NUMBERS-NWDC | 08/02700/FUL | MTC 732 |
| PROPOSAL | Change of use from surgery (D1) to offices (B1). Works to include external alterations | |
| LOCATION | 46 High Street | |
| APPLICANT | Mr G Adams | |
| DECISION | SUPPORT | |