

MALMESBURY TOWN COUNCIL

MINUTES OF THE PLANNING AND ENVIRONMENTAL ISSUES COMMITTEE MEETING HELD 13 JANUARY 2009 IN THE TOWN HALL, MALMESBURY AT 7 PM

PRESENT: Councillor: W G Blake (Chairman), J Bowen, J E F Poole, M H Snell,
C M Vernon, P Rice - Deputy Town Clerk (Minutes)

Members of Public: None Members of Press: None

Apologies: - Councillor: The Mayor, Cllr A C R Woodcock, Mrs C C Doody, R F
Sanderson, M Thomas

In attendance: -

Non-Attendance:-

PUBLIC QUESTION TIME

- At this stage the Chairman mentioned he had spoken to NWDC about the relaxation in the planning guidelines which was well publicised in 2008 and there is a link on the NWDC website at http://www.northwiltshire.gov.uk/index/env/planning/developmentcontrol/env_planning-permitted-dev.htm and the relevant pages are appended to the end of these minutes.
- He also mentioned that he is going on an NWDC planning training session shortly. Phil Rice can provide details for those members who would welcome this.

1 MINUTES

It was resolved that the minutes of meeting held on 16 December 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; this is an agenda topic for tonight's meeting.
- **(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. They have indicated that this will be done but not probably for several months.
- **(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)** The Head teacher at St Joseph's School has now written to NWDC requesting short term concessionary parking passes for Cross Hayes Car Park and we will diary two months for progress. If successful this will hopefully dramatically reduce (if perhaps not completely eliminate) the need for parking outside the school. **ACTION PHIL RICE TO DIARY MID MARCH IF NO PROGRESS IN MEANTIME**
- **(10/8)** See later in minutes regarding parking in Market Lane.

- **(11/08)** We sought approval from Highways for additional yellow lining outside 7 Katifer Lane but it appears there may be some difficulty here and a site meeting involving Cllr Snell is to be held on 22 January at 3.30 pm. **ACTION PHIL RICE TO REPORT BACK TO THE NEXT COMMITTEE MEETING**
- **(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. He advised ahead of this evening's meeting that matters are proceeding and he will cover at the next committee meeting. **ACTION CLLR SANDERSON**
- **(11/08)** Cllr Bowen had today chased regarding potential allotments discussed recently. **ACTION CLLR BOWEN**
- **(12/09)** We understand that there is serious graffiti on the wall at Ebley Tyres facing Sweetnam & Bradley. **ACTION PHIL RICE**
- **(12/07)** Cllr Sanderson indicated at the last meeting 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 and could this be covered at the next meeting of this committee. **ACTION CLLR SANDERSON**

3. DECLARATIONS OF INTEREST

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

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**
- Regarding application 08/02683/LBC and 08/02684/FUL relating to 23 Culver Gardens, it was agreed that the decisions be deferred to the next meeting and in the meantime a site meeting should be held involving Cllrs Blake and Bowen and hopefully the NWDC officer will also be in attendance. **ACTION PHIL RICE**

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 building including stairs thought not in keeping with a Grade 2 listed building	Phil Rice in Ongoing dialogue with NWDC	OCTOBER 2008 NWDC taking legal action but matters still 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 A POTENTIAL ONE WAY TRAFFIC ARRANGEMENT IN THE HORSEFAIR AREA OF MALMESBURY:

- Whilst a potential solution regarding unauthorised parking in Market Lane involving yellow lining was recently suggested to us, members were not keen on this and would prefer it to be turned into a walkway with the missing bollard replaced. The latter is to be done anyway. We are to explore the walkways issues and write to the Warden & Freemen seeking their views on this.

ACTION PHIL RICE (X2)

- Members discussed the potential of a one way system from The Triangle to Hudson Road and whilst there appeared to be several advantages, there are equally a number of concerns. It was agreed that Cllr Snell and Phil Rice will discuss this in general terms with Highways at the meeting on 22 January and then Cllrs Bowen and Snell will meet a relevant Highways officer to discuss a potential scheme in more specific details. Assuming that we receive an encouraging reply, this might be an ideal point to discuss at a public meeting - the Annual Town Meeting on 15 April seems to be an ideal opportunity.

ACTION PHIL RICE AND CLLR SNELL TO COVER ON 22 JANUARY AND REPORT FINDINGS TO CLLRS BOWEN AND THEN ARRANGE A MEETING WITH RELEVANT WCC OFFICER

ADDITIONALLY COULD CLLRS CARNEGIE AND GOLDSTONE WHO LIVE CLOSE TO THE AREA NOTE THE POTENTIAL INTENTIONS HERE AND THE COMMITTEE WOULD WELCOME THEIR INPUT

6. TO CONSIDER CURRENT ENVIRONMENTAL ISSUES

- Members expressed concern that the bus shelter outside the fire station has been removed and Phil Rice will find out why. **ACTION PHIL RICE**
- Cllr Snell mentioned that the absence of litter bins in the Horsefair is causing concern. This however is on the street furniture initiative and funds are held and we will now order and fit. **ACTION PHIL RICE**

7. TO RECEIVE AND CONSIDER THE DRAWINGS RE THE PROPOSED SEAT ALONG THE ABBEY STEPS (DRAWINGS INCLUDED WITH THE AGENDA

- We resolved to support this initiative with one design amendment although there was one question about the very competitive price and a satisfactory response was received. It was agreed we should write to the resident who suggested this and ask the contractors to proceed. **ACTION PHIL RICE (X2).**

8. SUSTAINABILITY SYMPOSIUM/WORKSHOP FOR MALMESBURY – NEXT STEPS

- Income so far from exhibitors and others amounts to £743 with £375 in the pipeline.
- The working group is meeting next week and a number of potential exhibitors are being “chased” during the next few days.
- Cllr Vernon mentioned that the three Malmesbury schools will be involved.

9. CORRESPONDENCE AND EXCHANGE OF INFORMATION

- A site meeting re road safety improvements at Basevi Close was held on 12 January. The notes are at the end of these minutes.
- Please note that we expect to deal with an application for conversion of the Moravian church to residential at the next meeting. This application is from the organisation itself.
- Following the latest newsletter, we have received a letter from a member of the public suggesting that “most of the street lights switched between midnight and 6 am thus saving energy and money”.
- On the next agenda will be a suggested review of waiting restrictions provided last week by Mouchels. **ACTION PHIL RICE TO PUT ON AGENDA FOR NEXT MEETING AND PROVIDE COPIES OF SUGGESTIONS AHEAD OF THIS MEETING**
- Highways has today expressed concern about yellow lining outside 7 Katifer Lane and an officer will meet Cllr Snell and Phil Rice in the Horsefair at 3.30pm to specifically cover this and the lack of parking restrictions since the explosion repairs were completed. Other members are welcome to attend. **ACTION CLLR SNELL AND PHIL RICE**
- Cllr Bowen expressed concern about the enthusiastic way planning notices are stuck on lamp posts and removing them tends to remove paint as well. We are to contact NWDC regarding this. **ACTION PHIL RICE**

10. DATE OF NEXT MEETING – TUESDAY 27 JANUARY 2009 IN THE TOWN HALL.

11. Meeting closed at 8.55 pm.

APPLICATIONS FOR MEETING 13 JANUARY 2009

NUMBERS-NWDC	08/02017/FUL	MTC	733/712/708/691
PROPOSAL)	Extension and Conversion to form four one		

-3rdRev one bedroom flats
LOCATION 31 Corn Gastons
APPLICANT Mr Dyne
DECISION OPPOSE. THE DEVELOPMENT IS TOTALLY OUT OF CHARACTER WITH SURROUNDING AREA. ADDITIONALLY WE ARE CONCERNED AT THE LACK OF PARKING ON SITE AND THAT VEHICLES WILL PARK ON THE NARROW ROAD OUTSIDE. PLEASE REFER TO POLICIES C3i AND C3vii

DECISION (REV'D) OPPOSE. THE DEVELOPMENT IS TOTALLY OUT OF CHARACTER WITH SURROUNDING AREA. ADDITIONALLY WE ARE CONCERNED AT THE LACK OF PARKING ON SITE AND THAT VEHICLES WILL PARK ON THE NARROW ROAD OUTSIDE. PLEASE REFER TO POLICIES C3i AND C3vii

DECISION(2nd Rev) OPPOSE. THE DEVELOPMENT IS TOTALLY OUT OF CHARACTER WITH SURROUNDING AREA. ADDITIONALLY WE ARE CONCERNED AT THE LACK OF PARKING ON SITE AND THAT VEHICLES WILL PARK ON THE NARROW ROAD OUTSIDE. PLEASE REFER TO POLICIES C3i AND C3vii

NB THIS 3RD REVISION IS FOR THREE FLATS ONLY

DECISION (3rd Rev) SUPPORT

NUMBERS-NWDC	08/02701/LBC	MTC	734
PROPOSAL	Conversion of property from surgery to office space, alterations to street elevation, atrium entrance and side entrance; addition of air conditioning plant to north elevation and addition of roof lights to north elevation		

LOCATION 46 High Street
APPLICANT G Adams
DECISION SUPPORT BUT CONCERNED THAT ENTRANCE TO THE BUILDING DOES NOT MATCH FENESTRATION

NUMBERS-NWDC	08/02496/TCA	MTC	735
PROPOSAL	Tree felling and surgery work		

LOCATION The Old Caravan site, Blicks Hill
APPLICANT R Wiltshire
DECISION SUPPORT

NUMBERS-NWDC	08/02683/LBC	MTC	736
PROPOSAL	Demolish existing lean to gable extension, build two storey extension and internal alterations		

LOCATION	and re-roof house 23 Culver Gardens		
APPLICANT	M Byfield		
DECISION	AT THIS STAGE ARRANGE SITE MEETING WITH IDEALLY NWDC OFFICER & APPLICANT		
NUMBERS-NWDC	08/02684/FUL	MTC	737
PROPOSAL	Demolish existing lean to gable extension, build two storey extension and internal alterations and re-roof house		
LOCATION	23 Culver Gardens		
APPLICANT	M Byfield		
DECISION	AT THIS STAGE ARRANGE SITE MEETING WITH IDEALLY NWDC OFFICER & APPLICANT		
NUMBERS-NWDC	08/02528/ADV	MTC	738/721
PROPOSAL(Revised)	Fascia & projecting sign		
LOCATION	Wine Rack, 45 High Street		
APPLICANT	First Quenching Retail		
DECISION	SUPPORT		
DECSION (Rev'd)	SUPPORT		
NUMBERS-NWDC	08/02529/LBC	MTC	738a/722
PROPOSAL(Revised)	Fascia & projecting sign		
LOCATION	Wine Rack, 45 High Street		
APPLICANT	First Quenching Retail		
DECISION	SUPPORT		
DECSION (Rev'd)	SUPPORT		

Permitted Development Rights

If you live in a house, you can make certain types of minor changes to your home **without needing to apply for planning permission.**

These are called "permitted development rights and they come from a general

planning permission granted not by the local authority but by Parliament.

Below is a list of a few of the types of permitted development which people are often interested in: **(nb. if the work you want to do appears in this list please make sure that you also read the [exceptions to permitted development rights](#) page). Due to the changes to permitted development rights we recommend you submit details to us in writing to check if you require planning permission, please submit any details to:**

Development Services
North Wiltshire District Council
Monkton Park
Chippenham
Wiltshire
SN151ER

or email: planning@northwilts.gov.uk

House Extensions provided

From 1 October 2008 an extension or addition to your home will be considered to be permitted development, not requiring an application for planning permission, subject to the following limits and conditions:

- More than half the area of land around the "original house"* would be covered by additions or other buildings.
- No extension forward of the principal elevation or side elevation fronting a highway.
- No extension to be higher than the highest part of the roof.
- Maximum depth of a single-storey rear extension of three metres for an attached house and four metres for a detached house.
- Maximum height of a single-storey rear extension of four metres.
- Maximum depth of a rear extension of more than one storey of three metres including ground floor.
- Maximum eaves height of an extension within two metres of the boundary of three metres.
- Maximum eaves and ridge height of extension no higher than that of existing house.
- Side extensions to be single storey with maximum height of four metres and width no more than half that of the original house.
- Two-storey extensions no closer than seven metres to rear boundary.
- Roof pitch of extensions higher than one storey to match existing house.
- Materials to be similar in appearance to the existing house.
- No verandas, balconies or raised platforms.
- Upper-floor, side-facing windows to be obscure-glazed; any opening to be 1.7m above the floor.
- On designated land* no permitted development for rear extensions of more than one storey.
- On designated* land no cladding of the exterior.
- On designated* land no side extensions.

* The term "original house" means the house as it was first built or as it stood on 1 July 1948 (if it was built before that date). Although you may not have built an extension to the house, a previous owner may have done so.

* Designated land includes national parks and the Broads, Areas of Outstanding Natural Beauty, conservation areas and World Heritage Sites. metres high with a pitched roof.

Note: Special rules apply where the building is listed or lies within a Conservation Area or Area of Outstanding Natural Beauty.

A Porch providing
that; it is under 3 square metres in overall floor area, it is no more than 3 metres in height and it is over 2 metres from a boundary with a public road or footpath.

Vehicular Access providing
it is to an unclassified road only and a permitted hard standing, driveway or garage is also being provided as part of the development.

Hard standing
Hard surfaces cannot be installed at the front of a property that is forward of the principal elevation if you render the area impermeable, this does not apply to development to the side of properties or at the rear. You will not normally need planning permission if either porous materials are used or provision is made to direct any run-off to a surface or area that allows the water to drain away naturally within the curtilage of the property, for example, to a garden border. The permeability condition applies where the area to be installed is more than 5 square metres. It applies both to new surfaces and to the repair and replacement of an existing surface

A Wall or Fence providing
that: it is under 1 metre high adjacent to a road and it is under 2 metres high on any other boundary.

A Satellite Dish (Antenna)(on private houses) providing
Not more than two antennas or two antennas which do not meet the relevant size criteria;

The Antenna cannot be:

- Installed on a chimney, where the length of the antenna would exceed 60 centimetres.
- Would not protrude above the chimney.
- Have a cubic capacity in excess of 35 litres.
- The highest part of the antenna would be higher than the highest part of the roof or Chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower.
- exceeding 100 centimetres in length

In the case of property in conservation area or AONB, the Antenna cannot:

- on a chimney, wall or roof slope which faces onto, and is visible from, a highway;
- in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway; or
on a building which exceeds 15 metres in height.

An Agricultural Building if
it is reasonably necessary for the purposes of agriculture within the farming unit, it is under 12 metres high, it is more than 25 metres from a road and that the

building, and any other agricultural buildings within 90 metres erected during the last two years, does not exceed 465 square metres in area.

Remember to check the [exceptions to Permitted Development Rights](#) page!



Please note:

In some areas of the country permitted development rights are more restricted.

If you live in a **Conservation Area** or an **Area of Outstanding Natural Beauty** you will need to apply for planning permission for certain types of work which do not need an application in other areas.

There are also different requirements if your house is a **listed building**.

You should also note that the council may have removed some of your permitted development rights by issuing an Article 4 direction. This will mean that you have to submit a planning application for work which normally does not need one. Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas. You will probably know if your property is affected by such a direction, but you can check with the council if you are not sure.

If the proposed building is within 3 kilometres of the perimeter of an airfield and if it is above 3 metres in height, planning permission is required. Special and additional rules apply where the building is to be used for livestock, or the building or works relate to the storage of slurry or sewage.

Stables are **not** regarded as agricultural buildings and require the submission of a planning application, except in certain residential situations where they are treated in a similar manner to garages.

Following changes in legislation made in 1991 most agricultural building proposals now have to be notified to the District Council, even if they constitute "permitted development".

Permitted Development also applies to factories and industrial buildings. Further information can be given by contacting us.

If your proposal affects a listed building, it will be necessary to obtain Listed Building Consent before undertaking any work. Listed Buildings are protected by law and it is an offence to carry out works to them without consent. Contact the Conservation and Urban Design Function if you are uncertain whether a building is listed. If you are thinking of carrying out works to a Listed Building, you are strongly advised to seek the advice of either the Conservation and Urban Design Function or a professional agent.

MEETING NOTES RE BASEVIL CLOSE HELD ON 12 JANUARY 2008

Cllr John Thomson - WCC
Cllr Blake Malmesbury - TC
Mark Stansby - WCC
Paul Galpin - WCC
Janet O'Brien - Westlea
Mike Gayton - Westlea

Martin Lawrence - Westlea

Westlea, will carry out some feasibility, design ideas and options for off street parking, along with approx costings and submit to WCC highways. MS will look into the utility details he can obtain for Westlea. MS will investigate putting white line give way markings at the access to Basevi Close.

WCC Highways will look at the car parking ideas from highways perspective with a view to the traffic calming and various options available and approx costings.

The mixture of off street car parking options and traffic calming (if required) options will be put together a view to consultation with community and authorisation by Cllrs.

PG to send a copy of the Section 106 Agreement to Westlea. With regard to the £30,000 contribution that should have been deposited, WCC highways is prepared to use this money off highway if it can be seen to have the desired affect of traffic calming/ management, subject to political agreement (JT) but it was outlined that this should not be an issue if it can provide the outcome required. PG to check background and requirement of the bus stop.