

MALMESBURY TOWN COUNCIL

NOTES FROM AN INQUORATE MEETING OF THE PLANNING AND ENVIRONMENTAL ISSUES COMMITTEE MEETING HELD 25 AUGUST 2009 IN THE TOWN HALL, MALMESBURY AT 7 PM

PRESENT: Councillor: W G Blake (Chair), R F Sanderson, C M Vernon, P Rice - Deputy Town Clerk (Minutes)

Members of Public: Six (part) Members of Press: One (part)

Apologies: - Councillor: A Carnegie, J E F Poole, A Stamp, M H Snell

In attendance: - Mr R Budgen – Malmesbury & St Paul Residents Association
Ms J Enticknap – Senior Planning Officer, Wiltshire Council (part), Councillor S Killane (part)

Non-Attendance:- -

27. PUBLIC QUESTION TIME

There were no public questions other than those tabled at the presentation given by Judy Enticknap regarding conservation and related topics. See notes at the end of these minutes.

28. MINUTES

Given that the meeting was inquorate, acceptance of the minutes of the meeting held on 4 August 2009 will have to be held over to the next meeting.

Points raised:

- None.

29. PROGRESS ACTION POINTS FROM PREVIOUS MEETINGS

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

- **(11/07)** It appears some progress has been made as some early remedial work has commenced regarding the damaged Burnivale wall but it may still be some time according to the contractor before repairs commence in earnest. However, Cllr Vernon had mentioned that much of the stonework has been removed which having taken away much of the support could lead to an accident. A recent conversation with the contractor suggests that the structure is not unsafe. **ACTION PHIL RICE TO REVIEW SEPTEMBER 2009**
- **(10/8)** The Head Teacher at St Joseph's School wrote to NWDC requesting short term concessionary parking passes for Cross Hayes Car Park. It now appears that the issue will be brought up again with a review in October 2009. **ACTION PHIL RICE DIARY TO OCTOBER TO ENSURE PROGRESS**
- **(11/08)** Cllr Sanderson had suggested in December 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. We have recently been advised that the work is scheduled to be completed but the cost of circa £350 will be charged to MTC. It was agreed that this topic along with a paper be on the agenda for the next meeting. **ACTION PHIL RICE**

- **(7/09)** The Mayor has agreed to run with the issue of finding allotments and in the meantime we understand that all seven allotments made available by a local businessman had been taken up by local residents.
Meanwhile having identified the potential for allotments at Cuckingstool Mead, Cllr Blake and two officers will be looking at the site next meet to determine suitability etc. It should be noted that the area was deemed unsuitable by Leisure & Youth late in 2008 because of the opposition of a local group which does not seem known to those members present. **ACTION CLLR BLAKE & THE MAYOR**
- **(1/09)** There was concern early this year about the removal of the bus shelter by the fire station and ahead of the March 10 meeting Cllr Sanderson advised that this is now to be put right by Highways during August 2009.
ACTION PHIL RICE DIARY SAY MID SEPTEMBER FOR PROGRESS
- **(2/09)** A suitable bollard for the end of Market Lane has at last been erected and we simply await the relevant key being supplied. **ACTION PHIL RICE**
- **(3/09)** It was agreed at the last meeting that the agreement mentioned be completed enabling the erection of a bus shelter on the northern part of Bristol Road by the bungalows to proceed. **ACTION PHIL RICE TO TAKE THIS FORWARD**
- **(6/09)** Opposite Basevi Close, following meetings earlier in the year, county is looking to take out much of the grass verge to improve parking in the area along with "some small scale waiting restrictions". We have recently recommended a slight increase in parking capacity which seems to have been taken on board. However members expressed concerns about the likelihood that the measures to be adopted could well lead to an increase in speeding traffic in the area and given the proximity to the play area, the chances of an accident seem high. Additionally traffic would inevitably park opposite the proposed cut in. The matter has been brought up with Highways staff and we await the results of their deliberations. **ACTION PHIL RICE TO MONITOR**
- **(7/09)** There seems to be no positive comments being made about the future of the MALG committee and it appears that the matter will be brought up by council representatives at the next Area Board meeting on 16 September.
ACTION PHIL RICE TO KEEP IN MINUTES FOR TIME BEING
However having listened to the comments from Judy Enticknap's presentation, and as a result of discussion at and after the session, Cllr Vernon is minded to put a proposal to the Community Area Partnership for feeding into the Area Board. **ACTION CLLR VERNON**
- **(7/09)** A local resident's house at Wren Cottage has been hit for about the fourth time in about a year by an HGV and members expressed concern at the potential for injury etc. It was agreed that at the last meeting to bring this to the attention of the county council by way of an issues sheets which should be completed by the gentleman concerned and ourselves. Initially we were given no encouragement about this but we have since been given same. The form is now to be sent. **ACTION PHIL RICE**

NEW ISSUES OUTSTANDING FROM THE LAST MEETING

- **(8/09)** Regarding the discussion at the 4 August meeting concerning the Lower High Street Cllr Snell had suggested that he take photographs and these be sent with a paper to Highways identifying priorities etc but we must also remember that it is likely capital projects could well be identified along with routine repairs and maintenance. Additionally a meeting with relevant Highways staff might also be required. **ACTION CLLR SNELL**
However Cllr Killane has also been taking photographs having met a highways engineer and these have been sent since the meeting to Cllr Snell.

- **(8/09)** An elderly resident had expressed concern about a dangerous path behind the King Arms hotel leading down to Kings Wall. Unfortunately history and recent research suggests that there is no ownership of this strip and it is certainly not legally a public pathway. There had been suggestion that perhaps a rail could be erected but members pointed out that if we were to do this and there was a subsequent accident etc, an element of liability could be directed at the town council. Whilst sympathising with the gentleman, perhaps support could be found from Social Services or Community Payback and we are to write accordingly to him. **ACTION PHIL RICE**
- **(8/09)** Cllr Snell had recently met with residents of Blicks Hill and has provided a suggested yellow lining plan which, after agreement by members, will be passed onto Wiltshire Council. It is intended that the above matter and the parking along Holloway will also be discussed with Highways staff. On the latter a 23 hour parking scheme has been discussed but Highways views would be needed. Given that prior to the meeting Cllr Snell has had an informal meeting with relevant highways staff, any action will be deferred and determined at the next meeting. **ACTION TO BE DETERMINED AT NEXT MEETING**

30. DECLARATIONS OF INTEREST

	Application/item	Type of Interest	Nature of interest	Action
None from those in attendance				

31. PLANNING ISSUES

- **APPLICATIONS RECEIVED** The applications at the end of these minutes were tabled and comments are to be forwarded to Wiltshire Council. **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	JULY 2009 Order obtained and entrance made. Awaiting a report on the next steps. REVIEW END SEPT 2009

32. MAKING AN ENVIRONMENTAL DIFFERENCE – PROGRESS SINCE THE LAST MEETING

- Terms of Reference prepared by Cllr Stamp were circulated at the meeting on 4 August and agreed and it was resolved at that meeting that he will the group and works with Phil Rice and others in choosing membership etc. Cllr Stamp was unable to be in attendance at tonight's meeting and the issue will be carried forward. **ACTION CLLR STAMP IN FIRST PLACE**

33. CORRESPONDENCE AND EXCHANGE OF INFORMATION

- The potential of local residents manning CCTV cameras will be on the agenda for our meeting on 15 September. **ACTION PHIL RICE TO PUT ON AGENDA FOR MEETING 15 SEPTEMBER AND PROVIDE A PAPER**
- A new water main is to be installed in Tetbury Hill requiring a road closure from 31 August to 11 September whilst electrical and wireless road works are to be laid in Filands shortly.
- We understand that yellow lining public consultation would hopefully start during the first week in September.
- The application numbered 09/01040/FUL, supported by this council, re a two storey extension at 31 Gastons Road has been withdrawn.
- Members may wish to be aware of the Action for Market Towns Convention 2009 is to be held in Melton Mowbray on 13-14 October 2009.
- It appears that suitable fencing will be erected above Abbey Mews as a result of recent dialogue between the developers and Cllr Killane.
- We have recently received a paper regarding harmonisation of concessionary travel and the contents will be provided to members and will be on the agenda at either the next meeting or the following one. **ACTION PHIL RICE**
- Roger Budgen, along with members, expressed concern regarding the sundry advertising on the perimeter of the Priory Roundabout. We will take a closer look at it ahead of the next meeting. **ACTION PHIL RICE**

34. DATE OF NEXT MEETING – TUESDAY 15 SEPTEMBER 2009 IN THE TOWN HALL

35. Meeting closed 8.40 pm.

**SENIOR CONSERVATION OFFICER – WILTSHIRE COUNCIL
AT THE PLANNING & ENVIRONMENTAL ISSUES COMMITTEE MEETING
HELD ON TUESDAY 25 AUGUST 2009**

The Chairman of the Planning & Environmental Issues Committee, Councillor W G Blake, first of all, welcomed Judy to Malmesbury and outlined to the audience that it has been the intention of the committee to invite a officer of the new unitary council to Malmesbury and we were pleased that Judy, with all her knowledge of the town, was able to attend.

1. CONSERVATION AREA MANAGEMENT PLAN AND RELATED TOPICS

- Judy advised that council are trying to speed this through quickly although the document does require more sustainability content and, resource permitting, it is hoped that the document will go to public consultation in September. It is likely that a public meeting will be held.
- The demise of the Malmesbury Area Liaison Group was discussed in length and this being a political decision meant that Judy was limited to the extent of the comments she could make. There is a suggestion that a “Start and Finish” group will be established and it was agreed that this be discussed in the Planning meeting itself which followed. Indeed Cllr Killane did suggest during the presentation that he would take forward the disquiet about the death of the group.

2. TOWN WALL

- There have been a small number of disputes in recent years about ownership and responsibility not helped by the natural deterioration and the absence, for some years, of grant funding to repair and/or rebuild.
- Judy first of all spent some outlining the history and extent of the Town Wall.
- It does appear that as a result of work done by council solicitors and examination of needs that the Town Wall appears not to be part of people’s property but case law suggests that liability for repairs etc rests on those householders whose properties/gardens are supported by the Town Wall.
- There was a fairly long conversation about part of the walls being hidden in greenery and questions were asked about what powers the council has here. Judy felt that perhaps some funding could become available. However it was not clear that should any work be done, the extent required is not clear and perhaps limited to growth that is causing actual damage. Whilst not able to provide resource to have any work done, Judy indicated she would be happy to provide advice and guidance.

3. SIGNS AND ADVERTISING IN THE CONSERVATION AREA

- Judy brought with her a copy of the Communities and Local Government booklet published in June 2007 entitled “Outdoor Advertisements and Signs: A Guide for Advertisers” and will bring hopefully a further half dozen or so which will be circulated to the local organisations who were in attendance at tonight’s presentation.

4. SUNDRY

- Concern was expressed about the number of plastic widows etc within the Conservation Area and Judy advised that, at the time, there was not the will in the old district council to enforce more appropriate materials.
- We briefly covered the problems at the Manse and 6 Oxford Street and whilst some progress has been made of late, it seems clear that by having to resort to using the legal remedies available, this matter will drag on for many years to come.

The Chairman, in winding up proceedings, thanked Judy for taking the trouble to attend the meeting and providing a significant amount of useful information.

PLANS	MEETING 25 AUGUST 2009
NUMBERS-WC-N	MTC 826

PROPOSAL	Tree surgery to walnut tree and fell five conifer trees	
LOCATION	Roundmead House, St Johns Street	
APPLICANT	Mrs C Edwar	
DECISION	SUPPORT	
NUMBERS-WC-N	09/01034/LBC	MTC 827/808
PROPOSAL (REV'D)	Remove existing fascia sign and replace with new sign	
LOCATION	38 Cross Hayes	
APPLICANT	D Joyce	
DECISION	OPPOSE. CONCERNED THAT THE FASCIA SIGN FAILS TO PRESERVE AND ENHANCE THE CONSERVATION AREA. POLICY HE1 REFERS	
DECISION (REV'D)	OPPOSE. CONCERNED THAT THE FASCIA SIGN STILL FAILS TO PRESERVE AND ENHANCE THE CONSERVATION AREA. POLICY HE1 REFERS	
NUMBERS-WC-N	09/01171/TCA	MTC 828
PROPOSAL	Tree felling and surgery work	
LOCATION	2 Abbots Garden, Holloway Hill	
APPLICANT	P Oura	
DECISION	SUPPORT	
NUMBERS-WC-N	09/01262/TCA	MTC 829
PROPOSAL	Pollard willow tree	
LOCATION	4 Avon Edge	
APPLICANT	Mr Mee	
DECISION	SUPPORT	
NUMBERS-WC-N	09./01340/FUL	MTC 830
PROPOSAL	Extension to form utility room	
LOCATION	9 Michael Pyms Road	
APPLICANT	Mrs Clark	
DECISION	SUPPORT	
NUMBERS-WC-N	09/01348/FUL	MTC 831
PROPOSAL	Installation of roller shutter doors in side (North) elevation to replace existing double doors	
LOCATION	Kwik Fit Motor Centre, Old Station Road	
APPLICANT	Kwik Fit Properties Ltd	
DECISION	OPPOSE. THE EXISTING DOORS, WHILST NOT ORIGINAL REPRESENT PART OF OUR HERITAGE AND THE PROPOSED REPLACEMENT DOORS DO NOTHING TO ENHANCE THIS	
NUMBERS-WC-N	09/01208/FUL	MTC 832
PROPOSAL	Demolition of existing single storey annexe, modifications to vehicular/pedestrian access together with construction of single storey extensions	
	THIS IS REVISION OF 09/00377/FUL	
LOCATION	Trucklebridge, Foxley Road	

APPLICANT	Mr & Mrs R Jefferson	
DECISION	SUPPORT	
NUMBERS-WC-N	09/01405/FUL	MTC 833
PROPOSAL	Kitchen extension and new porch	
LOCATION	1 Burnivale	
APPLICANT	N Bartlett	
DECISION	SUPPORT	
NUMBERS-WC-N	09/01349?FUL	MTC 834
PROPOSAL	Erection two storey dwelling (revision of 09/00979/FUL)	
LOCATION	4 Morse Close	
APPLICANT	S Muir	
DECISION	SUPPORT SUBJECT TO CONCERNS ABOUT THE RISK OF FLOODING	
NUMBERS-WC-N	09/01197/FUL	MTC 835/820
PROPOSAL (Rev)	Proposed front, side and rear two storey extension	
LOCATION	117 White Lion Park	
APPLICANT	K Brown	
DECISION	SUPPORT	
DECISION (Rev'd)	SUPPORT	
NUMBERS-WC-N	09/01115/Full	MTC 836/821
PROPOSAL (Rev)	Erection of single storey porch extension, rear extension and conservatory	
LOCATION	12 Lacemakers Road	
APPLICANT	P Toop-Rose	
DECISION	SUPPORT	
DECISION (Rev'd)	SUPPORT	