

**MALMESBURY TOWN COUNCIL**  
**MINUTES OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING**  
**HELD ON 17<sup>th</sup> APRIL 2018 IN THE TOWN HALL, MALMESBURY**

**Present:** Councillors: MJ Asciak, JM Exton, PJ Exton, AJ Gundry, WR Jones, P Newman and W Jones.  
**Other Councillors Present:** G Grant, P Smith, C Ritchie, CC Doody and H Wallis.  
**Members of the Public:** 14

**1. DECLARATIONS OF INTEREST**

None.

**2. PUBLIC QUESTION TIME**

Councillor G Grant stated that as a Wiltshire Councillor and member of the Northern Area Planning Committee, he did not think it appropriate for him to comment on the application at this stage, lest he prejudge the application. He added that he was present to listen to the views of the public and Town Council.

Dr L Tweedie stated that she was broadly in favour of a Lidl in the Town as it would help poorer members of the community. She did have some concerns about the safety of the access and pedestrian and cycle access.

Mr O’Gorman of Lidl UK addressed comments on Wiltshire Council’s website from statutory consultees including Environmental Health, the Archaeologist and Natural England and how Lidl was responding to their comments. He stated that there was a 70:30 split in responses from the public in favour of the development.

Councillor Gundry responded by stating that as at 5pm on 17<sup>th</sup> April the public comments on Wiltshire Council’s website were approximately 90 for 78 against and 2 comments neither in favour nor opposition to the scheme.

B Bowman stated that the Town needed a new supermarket to bring people into the Town and to serve the surrounding villages. She pointed out that the development will be on the bus route. Her one concern related to Dyson traffic.

Mr G Webb pointed to concerns expressed before the Waitrose store was built and the relative lack of impact the store has had. He added that he wished to shop at Lidl.

C Cross stated that she was not in objection to Lidl in the Town, but was in objection to the location; pointing to the development on a green field and traffic safety. She urged the Committee to reject the application.

Councillor P Smith expressed fears about pedestrians crossing the busy road, development on a green field site and traffic safety. He added that he had no objection to Lidl, but not on that site.

Councillor C Ritchie pointed to the response of the Spatial Plans Team, which he said showed the development was clearly contrary to the Malmesbury Neighbourhood Plan. He raised concerns about the retail assessment arguing that it underestimated the impact on the centre of the Town.

Councillor H Wallis stated that she agreed with Councillor Smith; she would support Lidl in the Town but not at that location.

Councillor C Doody stated that she concurred with the views expressed by Councillors Smith and Ritchie.

### **3. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor RE Budgen. (Councillor Gundry chaired the meeting in his absence).

### **4. MINUTES OF THE MEETINGS HELD ON 20<sup>th</sup> MARCH 2018**

**Resolved:** that the Minutes of the meeting held on 20<sup>th</sup> March be approved and signed as a correct record.

### **5. PROGRESS ON ACTIONS**

N/a.

### **6a. PLANNING APPLICATIONS**

#### **18/02180/FUL – Land east of the A429 Malmesbury Bypass (Lidl)**

Councillor Asciak gave an overview of the Landscape & Visual Impact Appraisal. The Council noted that the development could impact on the visual amenity from Nun's Walk, Footpath MAL W13 (Cowbridge Footpath) and MAL W19 (Footpath to the South).

Councillor Power gave an overview of the Retail Impact Assessment. She expressed concerns about the robustness of the Retail Survey, whether the site would deliver linked trips to the Town Centre, the number of parking spaces and the impact on local traders.

The Committee noted that Wiltshire Council had commissioned an independent Retail Impact Assessment.

Councillor Gundry gave an overview of the application in relation to planning policy; looking at the sequential test, the possibility of further development and how it sat in relation to the Malmesbury Neighbourhood Plan. He questioned the result of Lidl's sequential test suggesting that the Malmesbury Garden Centre site was closer to the majority of residents, was able to provide safe access, would be not significantly less easy for linked trips and would not result in development on a green field site. He expressed concerns that the development may lead to future development in that area.

Councillor Gundry expressed fears about the impact of the development on bakers, butchers, the Co-Operative in the north of the Town and shops such as Knees & E&S; he questioned whether the trading profile accorded with the Malmesbury Neighbourhood Plan. He stated that the applicants Retail Assessment was not convincing and that he would want to look at the independent Retail Assessment. He added that if the development were to go ahead the impact on the Town centre would have to be mitigated by a substantial S106 contribution to the Town Team.

Councillor Jones gave an overview of the application with regard to road safety and traffic impact. He stated that accident data showed that speeding was a problem along the A429 and that there were challenges posed by that road. He stated that the majority of concerns expressed by local residents are on the matter of road safety.

The application was opened to debate. Issues discussed included:

- That there were Lidl applications in Royal Wootton Bassett and Chippenham;
- Access to the site and traffic and pedestrian safety;
- Whether the application accords with the Wiltshire Core Strategy and the Malmesbury Neighbourhood Plan;
- The views of local residents;
- The need for an independent retail assessment; and
- The loss of a green field and the possibility of further development.

**Resolved:** to make the following comments to Wiltshire Council:

In principle Malmesbury Town Council would support a Lidl in Malmesbury, however the Town Council Objects to this application on grounds of access (pedestrian/traffic safety).

The Town Council would also like Wiltshire Council to note:

- That the retail impact on the Town Centre is unclear.
- That the provisions of the Malmesbury Neighbourhood Plan are not obviously satisfied.
- Concerns about the loss of a green field, impact on landscape and potential for further development in this area.
- If permission were to be granted, a substantial S106 contribution to the Malmesbury Town Team would be necessary to help mitigate the impact on the Town Centre.

#### **18/02512/FUL – 9 Burnivale**

**Resolved:** no objection.

#### **18/02533/FUL – The Gables, Crudwell Road**

The Committee noted that the application was a retrospective one, that the plans were not clear what the site would/ is being used for.

**Resolved:** to Object to the application on grounds that the application fails to provide details of what the site will be used for.

Before the Town Council can agree to a Change of Use, it would need to know what category of use is proposed and what exactly the site is being used for.

If permission were to be granted, the Town Council would like to see conditions on fencing & screening to mitigate the impact of activities on the site and to limit the external storage on the site.

The Town Council would also like the Highways Department to assess the access in relation to the number of employees that will be using it.

#### **18/02766/TCA – Malmesbury Bowling Club, Baskerville**

Permission already granted.

#### **18/02394/FUL – The Shambles, Tetbury Hill**

The Committee considered the scale of the proposed development, the proximity to the site boundary and the impact on a neighbouring property.

**Resolved:** to Object to the application on grounds that the proposed development would constitute an overdevelopment of the site.

**18/03026/FUL – Whychurch Farm**

**Resolved:** no objection.

**18/03134/TCA – 81 Gloucester Road**

**Resolved:** no objection subject to any comments from the Tree Officer.

**J Whittleton** to report the Committee's observations to Wiltshire Council.

**6b. UNRESOLVED PLANNING ISSUES/PLANNING UPDATES**

None.

**7. COMMUNITY AREA TRANSPORT GROUP**

Consideration was given to Report No.7 which presented the status and progress of the CATG'S outstanding issues.

**Resolved:**

- 1) To note the Report and that town/parish contributions to schemes could rise to as much as 50% of the total cost.
- 2) To state to the CATG in relation to speed management measures along the B4014 Filands: that it is unclear that Malmesbury Town Council should pay a 50% contribution when half of the road is in St Paul Malmesbury Without Parish Council.

**8. Highways Maintenance Plan 2018/19**

Consideration was given to Report No.8 which outlined Wiltshire Council's Highway Maintenance Plan in the Town for 2018/19.

The Committee noted that as works at Bremilham Rise and Corn Gastons/Alexander Road had already been completed additional works were likely to be possible.

The Committee noted that a Highways Officer had recently inspected Katifer Lane and was considering a scheme to resurface the road, repaint the yellow lines and widen the pedestrian area.

**Resolved:** to support the Maintenance Plan for 2018/19 particularly the inclusion of projects at Katifer Lane and St Mary's Lane.

**9. WHYCHURCH HILL WAITING RESTRICTIONS**

**Resolved:** to note the final plan for the area which will go out to consultation.

**10. SURVEY MONKEY**

**Resolved:** to approve the purchase of Survey Monkey.

**11. MARKET CROSS SURVEY**

Consideration was given to the draft Survey (version 6) about the pedestrianisation of the Market Cross.

**12. RED PHONE BOXES**

**Resolved:** Defer to the next meeting.

**13. WILTSHIRE COUNCIL GULLEY EMPTYING SCHEDULE**

The Committee noted Wiltshire's Gully emptying schedule.

**Resolved:** To consider gullies in need of attention at a future meeting.  
**J Whittleton** to email Councillors for any suggestions and to put the item on the Council's website.

The Meeting closed at 9.57pm.