

Minutes of the Kilmersdon Parish Council
held at Village Hall Kilmersdon
at 8.45pm on Monday 5 October, 2015



PRESENT: Councillors S Gibbs, D Hudson, A Jolliffe, R Morse and D Phripp.

IN ATTENDANCE: Clerk.

Two members of the public

**Min
No**

1. APOLOGIES:

996 Apologies received from County Cllr H Siggs and Ward Cllr E Drewe.

DECLARATIONS OF INTERESTS:

2. 997 Cllr Jolliffe declared an interest at Item 6.

3. MINUTES:

998 The Minutes of the Parish Council Meeting held on 5 September 2015 were approved and signed.

4. PUBLIC SPEAKING TIME:

999 The comments made at the public meeting held immediately prior to the meeting were noted and two members of the public remained as observers.

5. MATTERS ARISING:

1 It was proposed that Item 6 be taken last, to enable Cllr Jolliffe to remain and take part in the conduct of the other business items.

Proposed by Cllr Hudson; seconded by Cllr Morse.

7. FINANCIAL MATTERS:

2 An invoice from the Clerk for salary and expenses was approved at £695.16.
Cheque No. 1126. (LGA 1972, s112).

3 The Clerk's Income Tax payment was approved at £173.79.
Cheque No. 1127. (LGA 1972, s112.)

4 An invoice from SJH Services for grass cutting was approved at £210.00.
Cheque No. 1128. (LGA 1072, s111)

5 An invoice from Cllr Phripp for sign writing was approved at £24.00.
Cheque No. 1129. (LGA 1072, s111)

6 Invoices from Southern Electric for street lighting were approved for August at £14.36 and for September at £14.75.
(To be cleared by DD on 19 September and 19 October, respectively. (PCA 1957, s3).

FINANCIAL MATTERS (CONTD):

7. FINANCIAL MATTERS (CONTD):

7 The draft of the revised Financial Regulations was approved, with minor amendments, and the Clerk undertook to present the regulations for adoption at the next meeting.

8 Cllr Siggs offer to apply for grants under his Well Being Award Scheme for the current year were noted and the Clerk undertook to advertise the scheme in the next newsletter.

8. HIGHWAY MATTERS:

9 The Clerk said he was awaiting a response from Highways on the questions of moving the 30-mph sign at the east end of Kilmersdon to its original position, and the problems related to the newly installed double hazard line on Kilmersdon Hill.

(Post meeting note:

Duties have since been re-allocated and negotiation has re-commenced with the new officer for Mendip.)

10 The Clerk reported that he had contacted the local tree surveyor, who had undertaken to cut back the overgrowth in Silver Street for which Wiltshire Housing was now responsible. It is understood that the properties are Nos. 29, 30, 31, 42, 45, and 48 to 50. The main growth was said to be opposite Nos. 38 and 45, but the owner at 51 or 51A would need to be contacted. The Clerk undertook to contact the owner(s).

11 The Clerk presented the SID measurement figures for September. The very reduced traffic level was questioned, as was the median speed of 28mph for through traffic. It was considered that the SID may not have been registering either the speeds or the numbers of passing traffic and the Clerk undertook to refer the point to Highways for clarification.

9. PLAYING FIELD:

12 No report.

10. LITTER AND MAINTENANCE:

13 An estimate from SJH Services for maintenance of additional small areas of grass and verges in Kilmersdon was considered against the current invoice, but some clarification was still required for the planned frequency of cutting.

The Clerk undertook to refer to the contractor for further details.

14 It was noted that branches were overhanging on Jack and Jill Hill. The Clerk said he would ask the contractor to prune them to a safe height.

11. PCSO REPORT:

15 No report.

12. CORRESPONDENCE:

16 A note from MDC introducing EGRESS – new security arrangements for the transmission of sensitive information. Anyone receiving this information would be required to register, to gain access.

13. MATTERS OF REPORT & ITEMS FOR NEXT MEETING:

17 None.

6. PLANNING MATTERS:

At this point, Cllr Jolliffe declared an interest and left the meeting.

- 18 MDC had announced a consultation on the Local Plan Part II. The Clerk said he would email the details and the link for response to all Councillors. He undertook to advertise the consultation in the next newsletter.

Planning permissions requested:

- 19 ***Ref:*** 2015/1448/FUL.

Proposal: New village shop attached to village hall use Class A1 shop with cafe ancillary to this use.

Location: Village Shop Kilmersdon Hill Kilmersdon Radstock Somerset

Applicant: The Hon A T P Jolliffe

Type: Full

Members present voted unanimously to recommend refusal.

Council was sympathetic to Planning concerns raised during the previous public meeting and supported the views relating to the size of footprint; visual appearance; negative impact on the Village Hall revenues; insufficient parking, and lack of necessary detail in the design.

However, although much of the public discussion centred on the financial aspects and viability of the proposed shop, the members were not in a position to comment. Members were informed that business projections had not been prepared in support of the planning application, nor had Mendip DC requested any financial details.

The detailed response is provided as an annex to these minutes.

14. DATE OF NEXT MEETING:

- 20 **The next Parish Council meeting will be held will be held on 2nd November 2015 at 7.30 p.m. in the Coles Garden Meeting Rooms.**

- 21 There being no other business, the meeting closed at 10.45pm

Annexe to Minutes of Kilmersdon Parish Council Meeting on 5th October 2015.

Recommend Refusal of Permission

Kilmersdon Parish Council recommended refusal of this application.

REASON(S)

Numbers of successful shops across the South West were presented at a public meeting, together with details of very low failure rates. General discussion revealed a distinction between “community shops” and larger business ventures (such as small supermarket-style shops.)

The weight of public opinion was in favour of a community shop. This led to a consensus that the proposed type and style of building was not suitable and should be refused.

Although much of the discussion revolved around the future viability of the shop, the parish council has never received any financial details or business projections, and was therefore unable to base its decision on that aspect of the proposal. It is understood that the Shop Committee did not provide this information to the Planning Office, nor was it requested.

Many of the points made by the members of the public had previously been included in a letter from the Kilmersdon Village Hall Committee to the Planning Office, a copy of which was passed to the Parish Council.

In summary:

(a) The Planning concerns were primarily related to the size of footprint; visual appearance; negative impact on the Village Hall revenues; insufficient parking, and lack of necessary detail in the design.

(b) Failure by the Village Shop Committee to provide adequate assurances or a response to address the concerns and requests by the Village Hall Committee in relation to the Village Shop proposal formally detailed in April 2015. These include compensation for loss of revenue, funding for professional advice, indemnities and the position should the shop cease to trade.

In respect of (b) above, the Parish Council is sympathetic to the view expressed, but is unable to make comment on the financial aspects.

However, for the concerns at (a) above, the Parish Council has expressed its support.

In more specific detail on design:

(i) Of major concern is the potential effect of adding another key facility to the village which might attract a reclassification of the village status as in the adopted Local Plan, Part 1. There is no wish, either among the public or within the Parish Council for further development – it is considered that there is enough houses in the village and further development is not necessary. Therefore, refusal of this application seems appropriate.

(ii) The proposed design would result in a building larger than the present Village Hall, if approved. The outcome would be detrimental to the existing Village Hall, which was initially carefully designed by its Committee and architect to resemble an

old Victorian School. The proposed shop is not in keeping or sensitive to that design. There would also be an adverse effect on the appearance of the Village Hall and views across the village from all elevations.

(iii) The footprint of the proposed shop and café area is twice that of the existing Village Hall. The size of the proposed building is inappropriate for the position adjacent to the Village Hall. When considered as an extension to the Hall, it was observed that were the proposal to be made in respect of other buildings (for example, residential) an extension equating to these proportions would not be allowed for any other building. Moreover, the effect would be to make the Hall subservient to the shop.

Comments on construction:

(i) The inclusion of Velux windows in the design is considered to be totally inappropriate when considered next to the 'Roman' tiled roof of the existing building

(ii) The Parish Council has commented previously in respect of the development in the adjacent Manor Close, to the effect that solar panels would not be appropriate in a conservation area. Since this consideration still applies in the same area, it is confirmed that the Parish Council does not favour the use of solar panels in this instance.

(iii) It is considered that the proposed building would extend too far to the East and it is suggested that a better design would be of a narrower building, at the rear of the existing Hall and at right angles to it. Land could then be freed up for parking along its eastern side (where the hedge is at present being suggested) and a squarer patio area to the east overlooking the play area.

(iv) Proposed finishes have not been provided in the drawings and, if remedied, should be the same as the existing building.

(v) The air bricks of the hall will be covered up and rendered ineffective. There is no detail showing how ventilation under the stage of the Village Hall would be achieved – it appears from the drawings provided that this has not been considered and, if provision is not made for proper ventilation this will result in ongoing issues for the Village Hall.

(vi) The need for adequate signage is understood, but it is considered that the proposed signage on the East Elevation is garish and not in keeping with the village. Furthermore, there are no details of any external signage in the drawings that can be commented on, but the overall opinion has been considered and the Parish Council objects to any signage that is inappropriate or indicates the Hall is subservient to the shop.

Comments on amenity:

(i) The Village Hall stands on a piece of land which is exactly equal to its footprint and lies within the boundary of the playing field, which (in turn) is leased to the Parish Council. Whilst the two leases are separate at present, it will be necessary

to enter into different leasing arrangements for the hall, the shop and the field. Because of this the Parish Council will necessarily lose part of the amenity which is currently the playing field. There would be a reduction in the recreation space available and it is thought that the community would not favour that loss. Additionally, events such as the Village Day event and other events run by the Village Hall, the difficulty would be experienced in managing the flows of visitors in and out of the field through what would be a very limited access point. During large events, such as the Village Day, access is required for vehicles and stallholders to set up displays and stalls. The proposal seeks to reduce that access point to a virtually unusable entrance and would seriously impact the event – stalls and displays would be held in the road, or not at all. For usual daily purposes, including taking children from home to school and vice versa, the residents use the gateway entrance when crossing the field, but that access facility would be lost.

(ii) The loss of space could encourage more loitering. For many years we have experienced nuisance behaviour in the vicinity of the Village Hall and attempts have been made to increase visibility as a method of deterring such nuisance. Placing the patio and café area at the rear would reduce that visibility and it is expected that this would be an attraction for would-be wrongdoers.

(iii) The proposal on parking would, if approved, result in a loss of 5 parking spaces in an area that will encourage more parking than is currently experienced. This is not acceptable for a new venture and, in any case, would result in street parking on the B3139 and into nearby Manor Close.

(iv) The calculations for parking requirements are related to new developments and therefore do not make any allowance for the existing use of the car park by residents, or people using the church, playing field and pub. The vestibule and toilets should be included as ‘ancillary space’ to make the calculation more accurate – otherwise, to leave it out would result in insufficient parking provision

(v) Similarly, the regulations used exclude any external cafe area from the calculations. Taking that into account, the result would be to increase the amount of parking required, as the cafe would generate additional demand to the shop. If the analysis included all the area of the Hall, the proposed café area and existing baseline demand, the requirement could be expected to be for 40 spaces but the proposal allows for 23; five less than existing.

(vi) Given this already limited parking facility, there would be a serious disruption to parking during the construction period. Whilst this is a normal consequence of building, it would have a significant effect on the events for the Village Hall and any held in the playing field.

Comments on Finance:

(i) The Village Hall Committee has pointed out the expected losses of revenue which could occur from competition from any shop on the same site. The Parish Council supports their view that potential customers and users would be discouraged from using the Hall, especially for wedding celebrations perceived as not being appropriate next door to a shop and its associated activity.

(ii) Since there is no stated provision for the event that the shop would fail, the Parish Council wishes to reserve its position on the future re-use of that building. Any future planning applications to change, or replace the building with other accommodation would not be favoured.

(iii) If approved, the proposal would bring a loss of amenity to the parish. As recreational land would be given up, the Parish Council will wish to seek compensation of land or payments against either of the planning obligations for s106, or for CIL. We should be grateful for any advice on this aspect.