

**MINUTES**  
**WITHAM FRIARY PARISH COUNCIL EXTRAORDINARY MEETING**  
**HELD ON THURSDAY 24 MARCH 2016 AT 8.15 P.M. IN THE VILLAGE HALL**

<b>Present</b>	Fred Nicholls (Chairman)	FN
	Roy Featherstone	RF
	Colin Horstmann	CH
	Gregory Stevens	GS
	Richard Nickless	RN
	Will Sheppard	WS
<b>In attendance</b>	Anthea Brooks, Clerk	AB
	Nine members of the public	

**ACTIONS**

- 1            EMERGENCY EVACUATION PROCEDURES**
- 1.1           Emergency exits and procedures were explained
- 2            PLANNING**
- 2.1           **2016/0471/PAA notification of prior approval to change the use of an agricultural building to a dwelling house with associated building operations on land rear (south west) of Railway Cottages, Witham Friary for Mr K Hutton**
- 2.2           FN stated that this extraordinary meeting of the council had been called in order to discuss the above application. It was noted that the Council had not been consulted on this application because of its type which specifies that consultation must be undertaken only through either site notice or adjoining owner/occupier. It is not a planning application as such and there are only limited issues which the District Council can consider.
- 2.3           However the Council felt duty bound to represent its parishioners and this application had meant that the residents of Railway Cottages which are directly in front of the proposed development had come together to raise various issues
- 2.4           The Council first heard from the residents of Railway Cottages who had elected a spokesperson who read from a prepared statement the issues which they felt needed to be considered.
- 2.5           The applicant was then offered the chance to make a statement but declined to do so.

2.6 Councillors discussed the application at some length and it was proposed by RF, seconded by GS and agreed unanimously to write to Mendip District Council to make them aware that the villagers represented by the Council and affected by this proposal have grievances and issues about this development which the Parish Council felt should be considered.

2.7 It was also pointed out that a dialogue between the applicant and the villagers affected might help to allay some of the issues raised and the Council hoped that this course of action might take place very soon.

2.8 The Clerk was asked to draft a letter which will be emailed around for consideration. Deadline to reach Mendip DC is 26 March.

**Clerk**

2.9 A copy of the final letter is attached to these minutes as appendix I and contains the issues which the parishioners felt needed considered.

### **3 RECREATION FIELD/PLAYPATCH GRASS CUTTING CONTRACTS**

3.1 The Clerk presented the two quotations obtained and it was proposed by CH, seconded by RF and agreed unanimously that Shepton Mallet Landscapes be awarded the contract for 2016. It was agreed that the Clerk would contact Shepton Mallet Landscapes and ask for an early meeting with at least two councillors to discuss the contract and also invite Tom Hyde from the Cricket Club or a representative to be present.

**Clerk**

3.2 As discussed at the previous meeting a letter which it was proposed to send to the Football Club had been drafted by the Clerk. After some discussion it was agreed that WS would speak to the Football Club representative and ask if the Council could have a copy of their proposed fixtures and their insurance. WS will also ask if one set of goalposts could be left up so that the children from the village could still play.

### **4 DATE AND TIME OF NEXT MEETING**

4.1 The next meeting will take place on Thursday 14 April 2016 at 7.30 p.m. in the Village Hall

26 March 2016

Conrad Rodzaj  
Planning Officer  
Mendip District Council  
Cannards Grove Road  
Shepton Mallet  
Somerset  
BA4 5BT

Dear Conrad

**Application 2016/0471/PAA – notification of prior approval to change the use of an agricultural building to a dwelling house with associated building operations on land rear (south east) of Railway Cottages, Witham Friary for Mr K Hutton**

Witham Friary Parish Council is disappointed not to have been consulted about the above planning application but understands the reasoning behind this decision under current legislation. However the Council has a duty to represent its parishioners and this application has meant that the residents of Railway Cottages which are directly in front of the proposed development have come together to raise various issues and enquired why the Council had not been involved.

As a result of this the Council held an Extraordinary Parish Council Meeting on Thursday 24 March to hear the resident's points of view. The applicant was also present at that meeting. It was proposed, seconded and agreed unanimously that Councillors felt that they had to make Mendip District Council aware that the villagers represented by the Parish Council and affected by this proposal have grievances and issues about this development which the Parish Council feel should be considered.

The following is a cumulative list of their issues.

- 1. Transport and Highway impacts – access, parking and visibility cannot be achieved and that the development should be considered unacceptable in highway safety terms**
  - The existing track to the barn is very narrow, unmetalled and only wide enough for a single vehicle
  - The track exits onto the culvert and bridge which was widened a year or so ago with the new top surface only supported by an RSJ laid across loose stonework. The original wall to the river bed 3 metres below is now recessed under the track. The track cannot be widened due to its proximity to the river on one side and the side wall of No 27 Railway Cottages on the other. Photographs of these details will be lodged by one of the residents, along with their comments.

- The proposed dwelling would be in breach of fire safety regulations as detailed in Approved document B5 because the access road is well below the minimum 3.7m width at its narrowest point and the dwelling is more than 45m from the road to the front door
- The track exits onto the main thoroughfare of the village, **not** to Friary Close as stated on the plans. This road is used by the school bus, lorries, milk tankers, farm vehicles, visitors to the local public house and general village traffic. The exit itself is surrounded by parked cars. It is not possible to turn left from the track and remain on the correct side of the road due to the width and angle of the junction. When trying to turn onto the main road, vision of approaching cars is severely restricted in both directions by walls, bridges and parked cars. Vehicles that exit from the track have to swing out and around these cars which are of necessity parked on either side of the exit.
- Parking – the red outline on the plan submitted shows the curtilage for change of use. There does not appear to be adequate room for parking and turning of a vehicle within this designated area. In addition, parking for further cars on the road would create problems as all roadside spaces available are now fully occupied by residents of Railway Cottages, together with cars of visitors to the Seymour Arms Public House opposite
- Access for construction vehicles is unsuitable

**2. Ground Stability – further building and traffic in an area already at risk, albeit moderate, will be detrimental to the existing residential buildings and their immediate surrounding area.**

- The stability of the track is questioned if it is to take the constant traffic of a residential building. There is a considerable vertical drop to the river directly below the southern edge boundary of the track. The track is currently used very little.
- A recent Envirosearch survey into ground stability carried out by buyers of one of the cottages found that there was moderate risk of natural ground instability within 50m of the property

**3. Potential danger for residents of Railway Cottages using their existing right of way for pedestrian access along the track if the proposed access for a residential property is granted**

- The owners, residents of and visitors of numbers 22, 23, 25, 26 and 27 Railway Cottages have a right of way to the rear of their properties via a pedestrian path
- Residents of Railway Cottages, their children, grandchildren and visitors will be exposed to the possible danger of colliding with a vehicle as they step out onto what would become the access road to the proposed dwelling – unsighted to the right and unseen by approaching cars due to the position of number 27 Railway Cottages.
- The current track is too narrow for there to be a footpath and cannot be widened to provide on

**4. Building Plans – the conversion of the barn to a residential dwelling is questionable and its construction problematic**

- The proposed plan for the conversion are questioned – why a single storey dwelling within a double height structure? The design of the building as detailed in the proposed plans is not appropriate for a single storey dwelling
- If approved the roof of the building should be lowered to an appropriate height for the proposed dwelling. This would also have the effect of reducing the visual impact of the proposed building. Whilst it is accepted that the resulting visual impact would be less than the current building, it would be commensurate to the proposed dwelling
- It is understood that the proposed dwelling may come outside of the building line within the village of Witham Friary
- As the current footfall of the building is directly adjacent to the rear gardens of Nos 23, 24, 25 & 26 and the side of no. 27 access would be needed to this land in order to complete the construction and therefore cause disruption for all the residents of these properties.

**5. Flood risk – we understand that the proposed site has risk of flooding**

- It is understood that the fields to the rear of Railway Cottages may be classed as a flood plain
- A recent Envirosearch survey carried out by buyers of one of the cottages found that there was potential risk of surface water flooding within 250m of the property, this is based upon the National Flood Risk Assessment. There is also record of historic flood events that have occurred within 250m of the property

**6. Biodiversity – change of use to the existing building and potential building on the site may be detrimental to the localised environment and its natural inhabitants**

- The agricultural building may be home to bats and other wildlife. Various species of bat are routinely seen flying around the barn during the warmer months. Whilst full bat surveys are not required for Dutch barns, a preliminary assessment may be required and would identify the bats before work commences
- Should prior approval be granted, would this act as a gateway to a further planning application for extension to the property in the future? If so this would have an urbanising effect on the rural character of the landscape which could be detrimental to the environment.

These issues were raised and submitted to the Parish Council at the Extraordinary meeting by the residents of numbers 22, 23, 25, 26 and 27 Railway Cottages, making a significant proportion of the village which the Parish Council does its utmost to support. Residents will also be making individual comments to Mendip District Council.

As mentioned previously the applicant was present and was given the opportunity to speak but declined to do so. However it was suggested that a dialogue between the

applicant and the villagers affected might help to allay some of the issues raised and it is to be hoped that this course of action may take place very soon.

The Parish Council as representatives of all the villagers of Witham Friary is not technically competent to comment on the accuracy of the above concerns or how they might be resolved but would ask that Mendip District Council keep the Parish Council informed of future developments regarding this application.

Thank you  
Yours sincerely



**Anthea Brooks**  
**Clerk to Witham Friary Parish Council**

Cc Cllr R Skidmore, District Councillor  
Oliver Marigold, Principal Planning Officer  
Tracey Jemson, Building Environment Technical Team Administrator