

Appendix B

Minute of the discussion at **Area North Committee** held in the Village Hall, Norton-sub-Hamdon on **Wednesday, 25th July 2007** regarding the community village shop and café on land adjacent Millennium Hall, Water Street, Seavington St. Mary

38. Planning Applications (Agenda Item 16)

07/01276/FUL (Pages 1-6) – Erection of a single storey community village shop and café (GR 340682/114643), land adjacent Millennium Hall, Water Street, Seavington St. Mary – Seavington Community Shop and Services Association.

The Deputy Planning Team Leader referred to the agenda report and reported that, in accordance with the request of the Committee at the June meeting, further negotiations and a site meeting had been held between representatives of the applicants, Head of Development and Building Control and ward members.

In updating members, the Deputy Planning Team Leader reported that a letter had now been received from the applicants in which they addressed the possibility of extending the village hall to accommodate the shop, as suggested by members at the last meeting of the Committee.

The applicants explained the reasons why the extension of the hall to create a shop would not be feasible, including the affect it would have on charitable status making the hall liable to VAT. The applicants had also addressed issues regarding parking and mentioned that bearing in mind that there were footpaths close to the site, access by foot was available.

The Deputy Planning Team Leader further reported receipt of a letter from the Chairman of the Seavington Playing Fields Association who confirmed the position with regard to the charitable status of the hall. Reference was also made to problems regarding certain facilities and access if the hall were extended to accommodate the shop. It was further mentioned that the siting of the shop had been discussed thoroughly and the site proposed was considered the best for both villages.

The Head of Area Development confirmed that the extension of the hall to include a shop, which would be a business, would mean that the village hall would become liable to VAT regulations. She also commented that she had spoken to the Somerset Community Council about the proposals. The Head of Area Development indicated that she was satisfied that the applicants had prepared a properly thought out proposal, sought advice and got community backing.

The Deputy Planning Team Leader indicated that the recommendation was one of refusal on policy grounds. If, however, members were minded to approve the application, he advised that it should be subject to a legal agreement to ensure that the building was kept for community use if, for any reason in the future, the community shop became no longer viable.

The representative of the Seavington St. Mary Parish Council and Chairman of the Seavington Playing Fields Association, Mr. P. Ashley, spoke in support of the application. He referred to practical difficulties, including access, if the hall was extended to include the shop. He also mentioned that parking issues were being addressed. He commented that

he would not like to see anything detract from the use of the hall, which he felt would be the case if the shop were joined to it. He also felt that the proposed shop would be a community asset to the hall.

The representative of the applicants, Mr. D. Froome, thanked the Committee for deferring consideration of the application at the last meeting. He mentioned that discussions had taken place with Council officials and that the proposals had the support of the Parish Council and Seavington Playing Fields Association. He commented that the proposals had been properly thought out and that they had consulted widely on the application. He commended the project and hoped that the Committee would give it favourable consideration. He indicated that the applicants were content to enter into any agreements that were felt to be appropriate.

Cllr. Keith Ronaldson, one of the ward members, commented that negotiations had taken place. He referred to the problems that would be caused with regard to the charitable status and VAT liability of the hall if it were extended to include a shop. He commented that there was a car parking area that could be controlled so there should be no spillage onto the road. He also felt that an appropriate Section 106 Agreement would ensure that the building was not sold should the community shop become no longer viable. With those issues having been resolved he was of the view that the application was acceptable and proposed that it be approved.

Cllr. Paull Robathan, the other ward member, concurred with the comments of Cllr. Ronaldson. He commented that he was satisfied that this site was the most sensible place to locate the shop, being between the two villages. He felt that it would limit travelling and commented that people could walk to the shop. He did not feel that the proposals were imprudent in respect of the planning issues. He further commented that the playing field agreement meant that the whole village had control of the land and that the project could go ahead when funding was in place. He also commented that the matters regarding charitable status and VAT would not be an issue if the hall and proposed shop were separate. He indicated his support for the proposals.

During the ensuing discussion, other members expressed their view that the proposals were acceptable and that the application should be granted. Reference was made to good reasons having been put forward for not extending the village hall to incorporate the shop and the comments of the ward members in favour of granting the application were supported.

RESOLVED: That planning permission be **GRANTED** subject to:-

- 1) the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to ensure that the building is kept for community use if, for any reason in the future, the community shop became no longer viable
- 2) the inclusion of appropriate conditions, which shall be delegated to the Head of Development and Building Control in consultation with the ward members

(Resolution passed without dissent, 1 abstention)