

VILLAGE HALL HISTORY

Background

The New Village Hall has been in development since 2006.

The design for the proposed new building was prepared by architects in 2009 in support of an application for lottery funding, and has remained, substantially, unchanged.

The Batheaston Parish Council (BPC) had, then, reservations over the emphasised use for concerts and performances, the difficult traffic in Northend roads and the projected cost of £850,000.

Nevertheless the BPC has been in favour of a New Hall, subject to dedicated parking, to make it accessible to residents that live remotely from School Lane or, necessarily rely on car transport.

During these early stages the Trustees had always promised that such parking would be provided.

For the benefit of residents, as Parish Clerk, the following listing of events has been prepared from Parish Council records.

The Parish Council's Position on a New Village Hall for Batheaston

- ◆ The BPC supports a New Village Hall which serves the needs of Batheaston providing off street parking so that access is available to those relying on car transport and live in the remotest parts of the Village;
- ◆ The BPC is resolved to ensure that B&NES Planning Services complies with the Law and planning officers do not exceed their authority;
- ◆ All Concerns including those raised by local residents should be reasonably addressed;
- ◆ The BPC has sought in the past and is keen to promote in the future that all interested parties come together to try and find a way forward to build a Village Hall having united support.

Consultations

The Trust has held meetings and exchanged information with the BPC on numerous occasions since 2006 to explain its intentions and the proposals, and to gauge reactions and comments.

3rd May 2011 One of those meetings was the Parish Council's Annual village Meeting.

The Trust declared *..."parking spaces along the inside walling on School Lane is proposed and that the approved 12 x parking spaces on land besides the Methodist Hall would also be available"...*

The Methodist Hall parking had been offered – free – by B&NES who had now reneged on the promise as B&NES did not have the £25,000 to complete.

November 2012 Applications **12/04653/FUL + 12/04654/CA** at which the BPC learned that NO parking was to be provided. According to the Trustees all parking was omitted because in pre-application meetings the B&NES Planning Officer (PO) declared HER opposition to the intended parking and instead recommended submission of a Green Travel Plan and a payment of £6,000 to the B&NES Highways Department.

December 2012. The BPC, through its Chairman, invited the Trustees to work together with the B&NES Cabinet, our District Councillors and B&NES planning officers – with a view to press for the original intended parking to be allowed. The Trust did not accept this invitation.

Applications History

27th November 2012 The BPC Planning Committee (PEC) considered the applications and noted that there was no adequate on-site parking, nor any provision for the Methodist Hall parking and, also, that the application – as presented – did not comply with relevant B&NES Development Plan policies.

The PO took it on herself to declare to two BPC representatives that she would approve the application under delegated, and DID, before the due date for all consultees to comment had expired.

The BPC requested, in writing, that the Application be considered by the B&NES Development Control Committee (DCC), allowing representations that her issued approval be rescinded and the Application referred to the DCC.

12th December 2012 The PEC considered the Applications and recommended rejection because of the lack of parking, and non-compliance with relevant Plan policies.

In due course the architects' drawings and illustrations were shown, by other objectors, to be incorrect and mis-representative. They were withdrawn and a new set of drawings was submitted, necessitating re-consultation with the public, the BPC and other consultees.

9th April 2013 The new drawings were considered by the PEC and, again, rejected for lack of parking and non-compliance with B&NES own planning policies. Other objectors identified further inconsistencies with the drawings. Trial trenches were required and the drawings were withdrawn and more drawings re-issued, necessitating re-consultation

28th May 2013 The resubmitted information was considered by the PEC and, again, recommended rejection for lack of parking and non-compliance with B&NES own planning policies. Also the PO Report recommending approval was considered inadequate and misleading in that the provisions of the Green travel Plan and Operating Statement were considered unenforceable.

5th June 2013 .The DCC approved the Application based on the PO's Report. Other objectors challenged through Judicial Review the DCC's decision. B&NES legal officers agreed that the challenge was valid and submitted to the high court a request to quash the permission, and to pay costs.

This Judicial Review quashed the approval because the provisions of the Green travel Plan and Operating Statement were deemed unenforceable.

13/04349/FUL To overcome the Judicial Review judgement the Trust submitted a new Application on 16th October 2013, consisting substantially of the same drawings and documents. Once again the proposal lacked any on-site parking, and the same contradictions with B&NES own planning policies applied.

29th October 2013 The PEC considered the application and rejected, once again, for the same reasons.

The PO's Report to the DCC was issued to the public 4 days before the DCC's Meeting.

It was noted that material changes had been made to the Application by the PO, without consultation with the applicant or statutory consultees including the BPC.

The changes were so material that, in effect, it constituted a new application, of which the public could not have been aware.

The unilateral action by the PO, in changing the terms of the Application, and then recommending its approval is believed to have set a new precedent in planning history. Representations pointing this out were made at the DCC Meeting but disregarded on the advice of the attending B&NES legal officer.

16th January 2014 The DCC approved the Application.

Once again other objectors challenged this approval and sought a Judicial Review.

It is understood that the Courts have ruled that there is case to be answered by B&NES Planning Services and another Judicial Review has been called. This Review is still in progress.

Such disregard for the process undermines public interest and planning law. It is so serious that when the BPC Chairman was asked by a local resident to provide a witness statement for the second Judicial Review that, after consultation with senior Councillors and the Parish Clerk, it was deemed proper to support this action, to safeguard public interest, the rights of Parish Councils, and to limit future actions by planning officers beyond their authority.

[The Statement was requested for a Judicial Review and NOT as a supporting document against the Village Hall – as recently quoted by the Trust on BREDAC]

Suggestions on How to Move forward

1. All interested parties meet, with no pre-conditions, and see if common ground can be found to find solutions that best address concerns.
2. Find a solution to the lack of parking;
3. Address the grounds that have given rise to 2 x Judicial Reviews.

The BPC has consistently requested that dedicated parking should service the New Village Hall, because it believes that the Hall should be accessible to ALL residents of Batheaston, particularly those living remotely in Bannerdown, London Road, rural areas and those in the community who have to rely on car transport.

Northend road is seriously congested, especially at major occasions, and on such times on-street parking is woefully inadequate. The intensity of use proposed by the Trust for theatrical performances and weddings and likely to be generated by the attractiveness of the new building will add substantially to parking denied over and above that currently experienced.

Improved parking is not only important for residents but it will also benefit the Village Hall in ensuring it can offer a good service and generate adequate funding to pay for its upkeep.

Clerk to the Batheaston Parish Council