

**MINUTES OF THE MEETING OF NEWTON & NOSS PARISH COUNCIL**

**Held on 27 January 2011**

PRESENT Mr. Young Mr. Cooper Cllr Cooper Mr. Tubb Mr. Gough  
(Chairman) (Vice-  
Chairman)  
Mr. Taylor Mr. Hussell Mr. Carter Mr. Buckland Mrs. Hinchliffe Mr. Matthews  
ALSO Mrs. McDonough  
PRESENT (Clerk)  
4 parishioners were present for part of the Meeting

**OPEN FORUM**

**Twinning-** the Chairman made reference to the Cheese and Wine Evening fund raising event on Friday 4 February and to the Twinning Chart and Key presented by the Mayor of Trebeurden, now in a display case in the WIC Hall.

**Planning-**

i) **Coombe Cottage**-the Architect with responsibility for the project explained the history behind the planning applications.

ii) **Redlands**- a neighbouring parishioner expressed concern about the application and referred to a letter of objection a copy of which had been circulated to the Members.

**Village Housing Initiative**- a parishioner with a property in the vicinity of the proposed site made reference to the visit received from a representative from Tor Homes. A discussion had taken place regarding the difference in levels and the impact of the terrace on her property. It was understood the plans were to be withdrawn. An apology had been offered on the lack of consultation with the neighbouring homeowners.

**19/11 APOLOGIES FOR ABSENCE** – Reasons for absence were noted from Mr. Stitson. The Vice Chairman had advised that he would be late.

**20/11 INTERESTS TO BE DECLARED**

Members were invited to declare interests in the items for discussion during the course of the Meeting. Mr. Matthews declared a personal and prejudicial interest in matters pertaining to Viridor.

**21/11 PROPOSAL TO VARY THE AGENDA** –

RESOLVED: that items relating to consideration of quotations for Noss play park drainage work and Kilpatrick Steps should be considered in Committee. (*Vote: Unanimous*)

**22/11 PLAY PARKS-**

**22.1 Queen Elizabeth 11 Field Challenge-** Members had received details of the opportunities offered by the scheme and discussed its potential relevance in relation to Butts Park play area and playing field. It was agreed Cllr. Cooper would raise the matter with South Hams District Council as the landowner.

**.2 Noss Play Park-** Mrs. Hinchliffe made a report on progress.

i) **Community Wildlife Funding Application**-the group were still waiting determination of the application.

ii) **Landscape architect**- was looking to set up a 20 week timetable commencing 7 February 2011.

iii) **Tesco's**-the group wished to submit a small funding application of approximately £4,000 to Tesco's Community Fund for one specific piece of equipment. RESOLVED: The Parish Council would act as responsible body for the purposes of a funding application to Tesco's. (*Vote: Unanimous*).

iv) **Equal opportunities policy**- was required to satisfy a conditional funding agreement with "Awards for All". The Clerk had prepared a draft which had been circulated to Council Members. RESOLVED: The Parish Council would adopt the Equal Opportunities Policy. (*Vote: Unanimous*).

v) **South Hams District Council**- it was agreed SHDC would be asked to transfer the balance of the sum allocated for play park improvements to the Parish Council at the meeting arranged for 4 February 2011.

vi) **Leaseholder consent**-SHDC had been asked to give consent to the play park improvements in writing. This would be raised again at the meeting with SHDC on Friday 4 February.

vii) **Hedge planting**- the new hedging for the play park was to be provided by MOREwoods. The planting would probably take place in March.

viii) **The Blob**- the primary School had suggested that the Blob be relocated to the play park. The Parish Council Members felt it was better to leave it in situ.

ix) **Drainage**- Mr. Buckland had met the contractor to discuss the planned work.

**23/11 PLANNING APPLICATIONS**

**.1 SHDC planning decisions** – The most recent decisions received were noted:

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- i) **Stable Cottage, Parsonage Road 37/1505/10/F**-Removal of condition 2 of permission 37/2197/07/F (ancillary family accommodation) to allow use as a separate self contained residential unit.Granted
- ii) **65 Court Road 37/2110/10/F**-Householder application for extension and alteration to exiting dwelling.Granted
- iii) **The Lodge, Beacon Hill 37/2067/10/F**- Demolition of existing dwelling and garage replacement detached dwelling with integral garage and rooms in roof space.Granted
- iv) **Coombe Cottage 37/2433/10/F**- Replacement of greenhouse and lean-to with garden room and utility room, previously submitted with planning reference37/1753/10/F.Granted
- v) **Hilbre Cottage, Riverside Road West 37/2621/10/MIN**- Non material amendment to householder planning consent  
37/1207/10/F (for alterations and modernisation to include extending first floor over new section of building to match ground floor) for changes to main entrance steps and window design.Granted
- vi) **Zelte, Revelstoke Road 37/2798/10/MIN**-Non- material amendment for planning consent  
37/1316/10/F to change conservatory windows from timber to UPVC double glazing.Granted
- vii) **New Coombe, Stoke Road 37/2231/10/F**-Householder application for extension to terrace and erection of balustrade to terrace area and erection of garden shed.Granted
- viii) **1 Coastguard Cottages 372148/10/F**-Householder application for demolition of part of a garage block and rebuilding.  
Granted
- ix) **Woongara, Lower Court Road 37\_62/2555/10/O**- Outline application for replacement dwelling.Refused
- x) **Herons Reach 37/2498/10/TW**-Work to Tree Preservation Order Trees. South Hams District Council (Parish of Newton and Noss) (No.6.)Tree Preservation Order 1981.Register Number of Notice: 3098. Conditional consent

*The Vice Chairman arrived at 7.55pm.*

**23.2 Site Inspections** a report of the site inspections at Stable Cottage and 65 Court Road was given by Mr. Matthews. In respect of Stable Cottage, the meeting had been quite split. In respect of 65 Court Road, it was felt that the development would have no great impact on the skyline and that there were no planning grounds to refuse the application.

**23.3 Applications withdrawn**- the application withdrawn in respect of Redlands, Court Wood 37/2371/10/F was noted.

**23.4 Applications received –**

- i) **Redlands, Court Wood 37/0011/11/F**-Resubmission of 37/2371/10/F for replacement detached dwelling. DECISION: Objection: Overbearing impact on neighbouring properties. Overdevelopment of the site. (*Vote: 10 in favour of objecting, 1 abstention*)
- ii) **Riverside House, Riverside Road West 37/0103/11/F**- Householder application for side extension to provide boot room and store with dressing room attic room over including new porch entrances. DECISION: Objection. Loss of view from a public space. Adjacent to a public footpath.Overmassing of site. (*Vote: 10 in favour of objecting, 1 abstention*)
- iii) **Spindriff, 29 Court Road 37/0117/11/F**-Householder application for two storey extension, garden room, pool house and off street parking. DECISION: Objection. Overbearing impact on neighbours either side. Poor design. Fundamental departure from existing character of Yealm Road. (*Vote: 10 in favour of objecting, 1 abstention*)

**23.5 Enforcement-**

- i) **Crown Yealm, Newton Ferrers 34/1448/09/F**-The Council noted SHDC had received a complaint of breach of planning regulations. It had been alleged that works were being carried out to the retaining wall at the bottom of the garden of Crown Yealm which did not form part of the recent planning permission. The applicant had been asked to provide further details of the work that had taken place so that SHDC could assess whether there had been a breach of planning regulations.
- ii) **Williams Quay**-SHDC had reviewed drawings submitted by the architect detailing the alterations to Williams Quay. Whilst some of the works proposed constitute permitted development under Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, others did not. SHDC had invited the owners to submit a planning application to remedy the identified breaches of planning control. SHDC would consider enforcement action if they did not receive an application.

*Mr. Matthews left the Meeting*

**.6New England Quarry**- correspondence was noted from Viridor confirming their intention to proceed with their planning application to develop New England Quarry site irrespective of the failure to secure the residual waste contract from South West Devon Waste Partnership.

*Mr Matthews returned to the Meeting*

**24/11 VILLAGE PLANS-**

**24.1 Village Design Statement**-Mr. Buckland gave an update on the preparation of a Village Design Statement in respect of which a great deal of work remained to be undertaken. It was agreed that the matter should be raised at the Annual Parish Meeting when its significance could be put into context of new legislation and the Localism Bill. It would afford the opportunity of establishing whether there was a wish for such a plan and whether parishioners would want to come forward to join a working group to assist in its production.

**2.Conservation Area**- it was agreed that the practicalities of extending the Conservation would need to be investigated.

**24.3Listed Buildings** it was suggested that the issue of Listed Buildings and the potential extension of the Conservation area be addressed at the Annual Parish Meeting and potentially be incorporated into the work undertaken on the Village Design Statement.

**25/11VILLAGE HOUSING INITIATIVE**- The Chairman reported on a conversation held with SHDC Cllr. Saltern regarding concerns about the design of the project. Cllr. Saltern suggested there would be a summit meeting between Tor Homes and the planners in the near future.

Tor Homes had provided a summary report of the parish consultation feedback. In view of the strong feeling against the southern end of the site, they were considering re-designing this part of the site and would endeavour to explore appropriate options. The Parish Council had been asked to confirm whether this was their view and had been invited to raise any other issues they wished Tor Homes to address.

Members agreed that the results of the consultation should be made available on the Parish Council website.

It was raised that the Parish Council were mandated to back an affordable housing scheme on the proposed site but subject to the following considerations, arising from the public consultation and the Parish Council's Housing Policy;

1. There was a need for assurance that local people would always take precedence. It was felt the Local Criteria laid down by Tor Homes/SHDC was quite widely drawn and supportable. An assurance had been received that at present, the scheme would be oversubscribed by those with a local connection.

2. The design- Members were pleased to hear Tor Homes were seeking to redesign the southern end of the scheme.

3. Concern had been raised about access to the development. In looking at amendments to the design, it was thought the entrance being moved down the hill would be safer.

RESOLVED: Mr. Matthews would draft a letter to SHDC with a copy to Tor Homes, regarding the 'Local Connection' criteria for being eligible for a unit asking them to advise that on the assumption there would be twelve rented units available at the site, and as the existing housing waiting list stood, how many of those units would be taken up by people with 'Local Connections' from the Parish? SHDC would be asked to confirm that the 'Local connection' criteria would be exercised in perpetuity.

*(Vote: 9 in favour, 2 abstentions)*

Cllr. Cooper advised that she had been asked to arrange a meeting between two Parish Council Members and Tor Homes. It was agreed the Chairman and Vice Chairman would attend. Cllr. Cooper also advised that she would like a local architect who had been looking at an alternative design to attend the meeting

The response to Tor Homes regarding the public consultation was discussed. RESOLVED: Mr. Matthews should draft a letter to Tor Homes, with a copy to SHDC, requesting consideration be given to the building line of the proposed housing at the South end of the scheme being the same as that of adjacent housing and that there should be a Devon Bank between the proposed housing and the main road. The letter would reflect the fact Members were pleased to note that this was being addressed.

Reference would be made to Members of the Parish Council and parishioners having expressed concern about access. If the scheme was to be redesigned, the Council would suggest consideration be given to moving the access point further down the hill to render it safer and with less loss of hedging. *(Vote: Unanimous)*

Both letters would be circulated to the Council members before sending.

It was agreed that Tor homes would not be pressed for the information requested at this time.

## **26/11 ADMINISTRATION**

**26.1 Standing Orders and Financial Standing Orders**- the review of both sets of Standing Orders was due to be completed shortly. **Agenda February**

**26.2 Grass Cutting**- the cessation of trading of Garden Services from 1 February 2011 and their new arrangements were considered. It was agreed to continue to use Mr. Goodchild for grass cutting.

## **27/11 FOOTPATHS**

**27.1 Donkey Path Handrail**- the Chairman had asked a contractor for an estimate.

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**27.2 Definitive Footpath Review-** Mr. Taylor confirmed that the Parish had until 28 February to amass evidence of use of various footpaths. The working group had met the previous week to look at the paths in turn and the evidence needed. It was thought that six forms per footpath together with footpath inspections undertaken over the previous 24 years would be sufficient for most paths. If there were any contentious paths more evidence would be sought.

Mr. Taylor had reviewed Parish Minutes between 1897-1975 and various miscellaneous documents. These had been delivered to the PROW Officer at County Hall.

It had been noted that some paths were slipways to the foreshore. Slipways by their nature were used to facilitate vehicular access to the foreshore. In order to give them the correct classification under PROW regulations it would have seemed appropriate that they were classified as Byways Open to All Traffic. The DCC PROW Officer felt it was very unlikely that they could be recorded on the definitive map as a result of the Natural Environment & Rural Communities Act 2006 and, unless it could be shown that they were part of the ordinary roads network, they could not be recorded on the list of streets. It was likely that there were customary rights for the parish to access the foreshore over the slipways. There was no mechanism for recording customary rights but if there was no challenge to such use it was probably not going to be an issue. If it did come up in the future it could be looked at again - either to record a lesser status of prowl or for the parish to show customary rights of access to the foreshore. Mr. Carter agreed to check with the RYHA on any action they were undertaking. It was agreed that the Council was happy to proceed on the basis that slipways access should be treated as customary rights which would be safe guarded.

Public rights of way did not interfere with any private rights that may exist over the ways, i.e. for access to property, so private use with vehicles by landowners/occupiers, or by people authorised by the landowner, would not be affected by prowl status.

Mr. Taylor wished to thank Mr. Jeremy Brown for the work he had undertaken in producing a location map. DCC were checking the licence arrangements to confirm that this was in order.

The Parish Council Members expressed their appreciation for the very considerable amount of work Mr. Taylor had undertaken.

**28/11 HIGHWAYS-RESOLVED:** to request double yellow lines in both the upper and lower passing places on Bridgend Hill. (*Vote: Unanimous*)

#### **29/11 TREES –**

**29.1Broken Way-** Devon County Council had been asked to provide an update as to when their Arboriculturalist was due to prepare a report.

**.2Trees at the Green-** it was agreed to investigate lighting further once the refurbishment of the WIC Hall had been completed.

**30/11 ROYAL WEDDING CELEBRATIONS-** it was agreed to take no action in respect of the Royal Wedding Celebrations but the matter would be raised at the Annual Parish Meeting and articles placed in the Parish Magazine and "Up the Creek News" inviting people to come forward to form a working group to investigate Diamond Jubilee Celebrations in 2012.

**31/11 TOURIST INFORMATION PANEL-** Mr. Matthews gave a brief report on his findings. The cost would be in the region of £2000 plus any artwork. Concerns were expressed about the large costs involved. It was agreed not to proceed further.

#### **32/11 CORRESPONDENCE**

**32.1 Community Safety Forum Event-** No Members were available to attend the annual forum.

**32.2 Police-** No members were available to meet with the local neighbourhood team on 10<sup>th</sup> February falling on the same day as a Parish Council Meeting.

**33/11 AUTHORISATION OF PAYMENTS –** The Cheque payment was authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mr. Hussell and listed in Minute 34/11

#### **34/11 FINANCIAL SUMMARY**

**The following cheques were authorised totalling:  
£12443.20**

<b>Chq No</b>	<b>PAYEE</b>	<b>DETAIL</b>	<b>AMOUNT</b>
1259	J Eschbaecher	Former Clerk's Gratuity payment	£12,443.20

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Total £12,443.20

**In Committee**

**35/11. NOSS PLAY PARK DRAINAGE**- A quotation had been received for the additional drainage work. RESOLVED: To accept the quotation from W Daniels Plant Hire Ltd of 27 January 2011 for the sum of £1,110.00 + vat. (*Vote; Unanimous*).

**36/11 KILPATRICK STEPS- RESOLVED:** to accept the quotation received from Mr. John Leonard to effect repairs in the sum of £100. (*Vote; Unanimous*).

*The Meeting closed at 10.00pm*

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