

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

Held on 22 May 2014

PRESENT	Cllr. Cooper	Mr. Cooper	Mr. Hussell	Mr. Carter	Mr. Lyndon
ALSO PRESENT	Mr. Taylor 1 Parishioner	Mr. Matthews	Mr. Tubb.	Mrs. Ansell	Mrs. McDonough (Clerk)

OPEN FORUM

7 Yealm Road, 37/1120/14/F- the applicant spoke in support of his planning application. His new application made provision for reduction of the east elevation roof. The gable end on the north elevation had been changed to a hip end. Glazing had been reduced. Amendments had been made at the suggestion of the planning officer.

130/14 APOLOGIES FOR ABSENCE –there were apologies for absence from Mr. Stitson. (Apologies from Mrs Evans were received subsequent to the Meeting.)

131/14 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

132/14 DISPENSATION REQUESTS- none were made.

133/14 PROPOSAL TO VARY THE AGENDA- RESOLVED; items relating to planning enforcement and consideration of tenders for repair work to Pope’s Quay /Collaton-Butts Park hedge trimming should be considered in committee. (Vote; Unanimous.)

134/14 COUNTY and DISTRICT COUNCILS

134.1 Highways- including

i) Bridgend Wall- Gary Streeter M.P. had written to the Parish Council seeking their perspective on a letter received from Head of Highways, Capital Development and Waste at Devon County Council in which it had been suggested that negotiations were being held between Devon County Council and the Parish Council to decide how to reconstruct the natural stone wall from the two alternative designs currently being considered by the Parish Council. Once a firm decision had been made the County Council would be in a position to schedule the works in the current years construction programme. Members felt the letter to be inaccurate. Devon County Council Highways Department had advised the Parish Council that Devon County Council had responsibility for the wall as it supported the highway. However Devon County Council as the highway authority was only required to maintain the support and provide adequate protection to prevent the public, using the highway, from falling off the top. DCC had proposed to rebuild the retaining element of the wall and put some form of fence along the top rather than rebuilding the parapet wall. A site visit had been suggested by the Parish Council with DCC but had been declined. It was agreed to advise Mr. Streeter of the position and to copy Devon County Council and the newly elected County Councillor in.

ii) Holy Cross Church corner- Mr. Hussell advised of the recommendation made by Devon County Council Highways Department to remove the church signs at the junction of Court Road/Parsonage Road considering them to be a distraction to drivers. The Parochial Church Council had met the previous evening and declined the suggestion.

iii) New disabled bay Parsonage Road- Devon County Council Highways Department had advised that Parish Councils were no longer consulted when applications were made for the provision of new disabled bays. It was agreed to write to DCC to advise that in the Parish there were areas where there was a shortage of available parking and the introduction of additional disabled parking spaces had consequences. The Parish Council therefore would request that it was consulted before the introduction of further disabled parking bays in the Parish.

iv) Parking permits- building contractors working along Riverside Road West had appeared to have parking permits to park in restricted areas. It was agreed to write to Devon County Council Highways to request under what traffic powers Devon County Council was issuing permits to contractors in areas where there were parking restrictions.

ii) Buses- a parishioner’s concerns regarding seven buses being used for a wedding at St. Peter’s Church on Saturday 3 May was considered. The parishioner made reference to a successful campaign in the 1970’s to ban large buses and coaches from both villages with the exception of the local bus service to Plymouth and the school buses. A suggestion was made that a reminder should be sent out to nationwide and near Continent bus companies to remind them of the restriction through the appropriate authority. A member referred to the buses being parked in the tennis court car park at Noss- the drivers remaining with the vehicles. It was agreed that once transfer of ownership of the car park had been completed a sign should be erected to the effect that no buses should be parked there save by prior permission from the Parish Council.

iii) TAP fund drainage project- Wembury and Brixton Parish Councils had written to advise that they would prefer the drainage project to be joint rather than the funding being divided. It was agreed Mr. Hussell, assisted by Mr. Matthews,

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would draw up a schedule of works to include the area prone to flooding between Widey and Collaton and the Parsonage Road drains.

134.2 SHDC Asset Transfer/Parish Asset Land Registration-

i) Incumbrances; Mr. Matthews advised that Curtis Whiteford Crocker had reported that the titles to the land at Butts Park and the Community Orchard, tennis courts, car park and Noss Green did not list any restrictive obligations or charges. Any disposition of the land at Dillon's would need to be made in accordance with the Local Government Act 1972 i.e. the Parish Council would not be able to dispose of it by way of sale or grant of a long lease without the consent of the Secretary of State unless it was passed back to a local or other Parish Council under the Act. Retained rights of renewing and repairing drainpipes, sewers and party structures/walls had been retained by third parties under the titles to the land at Dillon's and at Butts Park. The titles to the land at Butts Park and the green area by Dillon's did provide for a proportionate contribution to the upkeep of roads, paths and services conduits which, whilst not being part of the land being transferred, were being used in connection with the land being transferred. The above was noted by the Parish Council.

ii) Agreement for sale- Mr. Matthews advised that the draft was largely settled. Clause 1.7 was not in the form requested. The Parish Council had asked that it refer to Licences generally rather than a specific Licence. Whilst the current wording allowed the Parish Council to licence the Tennis Courts without going through the provisions of the overage clause included in the licence, it would not help if, for example, the Council wanted to licence use of the playing field at Butts Park to a new football team etc. It was agreed Curtis Whiteford Crocker would be asked to seek amendment. It was not considered necessary to include provisions of frequency for dog bin emptying.

134.3 SHDC Public conveniences- it was agreed the Chairman would attend a proposed meeting with Stuart Jellings SHDC Environment Services Manager on Monday 9 June at 1pm to discuss alternative solutions for keeping the facilities open all year round.

135/14. PLANNING

Planning decisions

135.1 5 Whittingham Road, Yealmpton 37/0426/14/F-householder application for removal of velux window and erection of dormer window to existing loft conversion. **SHDC:** Granted.

135.2 Treetops, Yealm View Road 37/0470/14/F-Householder application for extensions and alterations. **SHDC:** Granted.

135.3 Lochalsh, Lower Court Road 37/0657/14/TW-South Hams District Council (Parish of Newton & Noss) (No.22) Tree Preservation Order 2003 Register Number of Notice: 3492 Work to Tree Preservation Order Trees. **SHDC:** Granted.

135.4 Cellars, Noss Mayo 37/0544/14/F -householder applications for extensions to create conservatory and balcony. Affected a public footpath or right of way. **SHDC:** Granted.

135.5 Woodville, Pillory Hill APP/K1128/A 14/2213268 -Appeal against refusal of demolition of existing three bedroom house and erection of replacement dwelling with garage. **Planning Inspectorate:** Appeal dismissed.

Planning applications received including

135.6 Rushpoint, Court Wood 37/1065/14/F-householder application for alterations and extension to dwelling to include additional storey extension with balcony over. Affected a public footpath or right of way. **DECISION:** Objection;

1. Inappropriate scale given restricted site- in particular the third storey.
2. Inappropriate over development in an AONB.
3. Loss of public amenity- obscuring view of river from a public footpath.
4. Visual impact on the waterfront.

The Parish Council commented that the objections mainly derived from the addition of the proposed third storey. *(Vote; Unanimous)*

135.77 Yealm Road, 37/1120/14/F-householder application for alterations to bay window and new two-storey extension with integrated garage. Demolition of existing garage (resubmission of 37/0500/14/F.) Affected the setting of a Listed Building. Affected a public footpath or right of way. **DECISION:** No objection. *(Vote; Unanimous)*

135.8 Newton Downs Farm 37/1121/14/F-proposed agricultural track. Affected a public footpath or right of way. **DECISION:** No objection. *(Vote; Unanimous)*

135.9 11 Court Road 37/1187/14/F & 37/1188/14/LB-householder application/Listed Building Consent for replacement of existing conservatory and entrance porch. Application affected a Listed Building. **DECISION:** Objection;

1. Development was not in context of a Listed Building.
2. Inappropriate development for a Listed Building.
3. The development did not appear to be a conservatory.

135.10 Balls Wood Solar Farm- an application in respect of a large solar farm within the Brixton Parish had been lodged under 7/0616/14/SCROP. A public meeting had taken place in Brixton on 14 May. The Brixton Parish Clerk had not been able to provide more information. Details were on the CPRE website. It was agreed to contact the Devon Chairman of the CPRE to advise that if there was anything the Parish Council could do to express concern about the application, to let the Council know.

135.11 Neighbourhood Plan-the consultation period for the designation of the Neighbourhood Plan Area had expired on 16 May. Mrs. Ansell advised that everyone she had spoken to in Noss Mayo had been in favour of the proposed area. Mr. Matthews had not received any comments. The Clerk had received one comment to the effect that the parishioner

believed the area to be correct with an offer of help, and another querying the map being used for the consultation. It had been confirmed that the map had been supplied by SHDC.

135.12 South Hams District Council- "Our Plan" consultation. No response was considered necessary at this stage. Mr. Matthews and the Vice Chairman had advised the Parish Council regarding the position following the recent SHDC Training Workshop about "Our Plan".

136/14. ADMINISTRATION

Bishops Court- an enquiry had been made to hire the consulting room on behalf of South Hams CAB. It was agreed that a charge would be made of £20 per session subject to a short Licence agreement being entered into.

137/14. AUTHORISATION OF PAYMENTS

Cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mr. Hussell and listed in Minute 138/14.

138/14 FINANCIAL SUMMARY

Chq No	PAYEE		AMOUNT
1804	Tilly Institute Charity	Hire- NNPC/SHDC planning meeting 5 December 2013	£10.00
1805	Broker Network Ltd	Parish Council Insurance renewal 1/6/14-31/5/15	£772.36
1806	D. Goodchild.	Grass cutting; The Green 4 & 17 April 2014	£32.00
1807	Land Registry	Public Index Map Search- land off Passage Road	£4.00
1808	Ricoh UK Ltd	Photocopier; invoice for copies 1/2/14-30/4/14	£29.35
1809	South West Water	Public tap: Pillory Hill 11/2/14-12/5/14	£30.29
		Total	£878.00

*Section 137 Local Government Act 1972 payments:£0 Total to date;£207.00

139/14 FOOTPATHS

Public Path Creation Agreement- the Definitive Map had been modified to correctly record the definitive line of Footpath 28 Newton & Noss through the grounds of Warren Cottage. The National Trust was willing to dedicate the longstanding alternative path as a public footpath. This would be in addition to the original line through Warren cottage which was promoted as the Southwest Coast Path. This proposal would clarify that the public had the right to use either route, as desired, and avoid any confusion concerning the status of the paths in the future. The new footpath would be created by a Public Path Creation Agreement between Devon County Council and the National trust under Section 25 of the Highways Act 1980.

140/14. MAINTENANCE

140.1 Manhole cover- by Noss Voss footpath. Mr. Stitson was dealing.

140.2 The Green- a World War I Memorial Garden had been constructed on the Green, Newton Ferrers by the Yealm Branch of the Royal British Legion with the assistance of the Yealm Garden Society. It was agreed a letter would be written to the Chairman of the Yealm Branch, Royal British Legion advising that the Parish Council was content for the flower bed to remain, in light of the fact that the work on the bed appeared to have already been completed. The area was a registered Village Green which Newton & Noss Parish Council maintained. The Parish Council would request that in future, if any similar projects were planned, that the Parish Council was consulted first. The Parish Council would also seek an assurance that, after the duration of the four year period, the bed and sleepers would be removed and the area reinstated to its original condition.

140.3 Other areas for consideration-

i) Leas Path- tenders had been invited for the annual tidying.

ii) Collaton Cross- it was agreed to report the overgrown splays to DCC Highways.

iii) Broken Way- it was agreed to seek tenders to trim and tidy the roadside verges.

iv) St Peter's- the adjacent path had been reported as slippery. It was agreed to seek tenders to sweep, remove /trim back vegetation and treat the moss on the path.

In Committee

140.4 Pope's Quay- four tenders had been sought. One had been received. RESOLVED; to accept the quotation from Mr. Steven Shepherd to effect repairs to Pope's Quay slip in the sum of £460. (*Vote; Unanimous*). The RYHA had confirmed that it would contribute half the costs.

140.5 Collaton/Butts Park Link; RESOLVED: to accept the quotation from E.G. Hingston & Son in the sum of £320 plus VAT. (*Vote; Unanimous*)

141/14 PLANNING ENFORCEMENT

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Cllrs. Robert Foss and Robert Steer from SHDC Planning Committee had come to the Parish the preceding Monday and walked around the Parish with the Chairman, Vice Chairman, Mr. Carter, Mr. Taylor and Mrs. Ansell .It appeared to have been accepted that the Planning Committee needed to visit sites more often to be able to appreciate the impact of planning applications.

The Parish Council had been advised that two planning applications were pending regarding two enforcement matters.

The Meeting closed at 8.30pm.