

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

Held on 25 October 2012

PRESENT Cllr Cooper Mr. Cooper Mr. Barnett Mrs. Ansell Mr. Hussell
Mr. Matthews Mr. Stitson Mr. Gough Mr. Carter
ALSO PRESENT Mrs. McDonough (Clerk)
30 parishioners were present for the Meeting

OPEN FORUM

Point House – the owner presented his proposals for development of Point House and its front waterfront garden to the Meeting. Three Parish Council Members had undertaken a site visit the preceding month. The owner planned to demolish the flat with the area being turned into a possible patio. The owner planned to construct a dwelling in the front garden situated “end on” to the river to minimize the impact on loss of green space. The garden would be covenanted to Point House. The roofline of the proposed dwelling would be the same as the garden wall behind with car parking for two cars out of sight. The stone wall and steps would be retained. The owner was keen to reduce the glazed area overlooking the creek and to create a 1600 square foot two floored property in keeping with the nature of the area with a natural feel and finish. A parishioner raised concerns regarding the sensitive site and that any development would need to be handled extremely carefully to ensure the area retained its “village” feeling and that the frontage should be pushed back from the water’s edge to reduce its impact. The owner confirmed he was conscious of the sensitive nature of the area being the reason for going through a Pre Planning Application procedure with SHDC and for the orientation and traditional design. Parishioners made comments that whilst the design fitted in, the issue was whether it should be built in a green area.

Neighbourhood Planning- the Chairman of the RYDA, Mr. Christopher Lunn, addressed the Meeting on his hopes that the relationship between the RYDA and the Parish Council could become more harmonious and upon the merits of preparing a Neighbourhood Plan. Mr. Lunn had knowledge of planning having spent six years working with and for Cornwall County Council developing affordable housing. The RYDA had attempted to gauge the feelings of its membership on the preparation of a Neighbourhood Plan. Out of 78 responses, 75 had been for, with 2 against and 1 abstention. Mr. Lunn felt reassured that he was speaking with the support of the RYDA Membership.

Mr. Lunn detailed the reasons for believing having a Neighbourhood Plan was important;

i) Further development in the Parish was enshrined in SHDC Core Strategy. A Neighbourhood Plan would give the Parish much greater control over where and what development took place and its design. He suggested that a Neighbourhood Plan could help in preserving the green foreshore.

ii) The Parish Plan was drafted in 2000 and updated 3.5 years ago, prior to the Localism Act. Mr. Lunn did not believe the Parish Plan to be as helpful or to have the validity of a Neighbourhood Plan. Neighbourhood Plans had full planning weight whilst the Parish Plan had virtually none.

iii) The Neighbourhood Plan would be the Parish Community Plan and not SHDC’s. SHDC would not be able to stop it once it had been through the approval process provided it did not contravene National or District Council Policy.

iv) A Neighbourhood Plan was not a green light for further development- it could be quite the opposite.

Mr. Lunn was aware that a huge amount of time and effort would be required to draft a Neighbourhood Plan- the process could take 18months- 2 years. He was conscious that the Parish Council would need to instigate, draft and endorse the plan but expected there would be volunteers to help. The RYDA would help in any way it could and could take on the administrative burden.

The Government had allocated a certain amount of funding but it was anticipated local funding would be needed to supplement.

It was suggested that if the Plan were to go ahead that a Public Meeting take place to explain the role of the Neighbourhood Plan, to see what support there may be and to elicit the help of any volunteers. The RYDA offered to do this on behalf of the Parish Council whilst accepting it would be the Parish Council’s Meeting.

Mr. Lunn was thanked by a Council Member who advised that the Parish Council ‘s approach to housing was such that it would like to find affordable housing, with a need for 32 having been identified, and to maintain the development boundary. The Member’s own view was that a Neighbourhood Plan was more about development than no development. Mr. Lunn suggested that once SHDC had finished its housing Core Strategy and Local Development Framework there was no doubt the Parish would be allocated a share. A Member advised that it was his understanding that there was to be no such allocation. Mr. Lunn referred to the predisposition for development under the Localism Act. Without a Neighbourhood Plan there would be nothing to stop it.

228/12 APOLOGIES FOR ABSENCE- there were apologies for absence from Mr. Tubb and Mr. Taylor.

229/12 INTERESTS TO BE DECLARED - Members were invited to declare interests in the items for discussion during the course of the Meeting. The Chairman and Mr. Gough declared interests in respect of the TPO application 37

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/2288/12/TW being members of the Lower Court Road Association. Mr. Hussell declared an interest in Briar Hill Farm 37/1864/12/F and Mr. Matthews in matters relating to Viridor and South West Water.

230/12 MINUTES –the Minutes of the 27 September Meeting were confirmed and signed as a correct record

231/12 PROPOSAL TO VARY THE AGENDA – RESOLVED: items relating to consideration of tenders for maintenance/repairs following the Parish Asset Inspection should be considered in Committee. (*Vote: Unanimous*)

232/12. PLANNING

Pre applications-

232.1 Point House 1949/12- it was agreed to put back consideration of the response to the pre application to 8 November Meeting to enable those Members not present to consider the matter.

SHDC planning decisions/withdrawals –the most recent notifications received-

232.1 4 Fell Close, Yealmpton 37/1940/12/F-householder application for new porch, two storey side extension and single storey extension to rear. **SHDC:** Granted

232.2 Agricultural Building, Field at SX564 484, Bridgend 37/1922/12/F-part retrospective application for the erection of a general purpose agricultural building. **SHDC:** Granted

232.3 50 Noss Mayo 37/1880/12/F 37/1881/12/F-r application for construction of covered parking space below new (raised) patio area. Application affected a Conservation Area. Affected a public footpath or right of way. Application affected a Listed Building. **SHDC:** Refused

Planning applications received

232.4 95 Court Road 37/2219/12/F-householder application for single side extension, conversion of double garage to habitable space, balcony extension and other alterations. Decision: No objection (*Vote:7 in favour, 2 abstentions*)

232.5 11 Perches Close 37_62/2275/12/TW-works to Tree Preservation Order Trees South Hams District Council (Parish of Newton & Noss & Yealmpton) (No.7) Tree Preservation Order 1983. Register Number of Notice 3308. The Tree Warden supported the application. Decision: Support (*Vote:8 in favour, 1 abstention*)

232.6 Stonecourt, Membland 37/2268/12/F-householder application for refurbishment and single storey extension. Application affected the setting of a Listed Building. Decision: No objection provided the Conservation Officer was satisfied with the proposed plans (*Vote: 8 in favour, 1 abstention*). *The Chairman and Mr. Gough left the Meeting.*

232.7 Quillet, Lower Court Road 37 /2288/12/TW-Work to Tree Preservation Order Trees. South Hams District Council (Parish of Newton & Noss) (No.884) Tree Preservation Order 2012. Register Number of Notice 3313. The Council agreed with Tree Warden's views. Decision: No objection to work on the Cherry Tree. Beech Tree-the Parish Council shared the Tree Warden's concerns regarding damage to the tree roots by excavating within 3 metres (*Vote: Unanimous*) *The Chairman and Mr. Gough returned to the Meeting.*

232.7 10 "Noss", Passage Woods Road 37/2315/12/F-householder application for alterations and extensions to property. Application affected the setting of a Listed Building. Application affected a Conservation Area. Decision: No objection (*Vote:8 in favour, 1 abstention*)

232.8 The Haven, 51 Yealm Road 37/2325/12/F-retrospective single storey extension to dwelling. Application affecting the setting of a Conservation Area. Application affected the setting of a Listed Building. *Mr Matthews declared an interest, the applicants being personal friends and left the Meeting.* A letter from the applicant dated 23 October 2012 was read out to the Meeting in which the applicant advised that they had mistakenly understood planning permission had not been required for a conservatory type extension. Work had been stopped in June when the error had been discovered and a planning application submitted. Some Members discussed their dislike of retrospective planning applications. Decision: The Parish Council were not in favour of retrospective planning applications and would leave the decision to the planning officer. (*Vote: 5 in favour, 1 against, 3 abstentions*). *Mr Matthews returned to the Meeting.*

232.10 Briar Hill Farm 37/1864/12/F-*Mr. Hussell left the Meeting.* It was noted that a new public notice had been put up extending the deadline for comment. The Chairman understood that this was due to SHDC having failed to advertise it as a departure from plan. No further comments would need to be issued as existing comments remained current.

Certificate of Lawfulness-

232.11 The Lodge, Lambside Farm 37/2252/12/CLE-Lawful Development Certificate for existing use of erected residential building and construction of vehicular access. It was understood this pertained to Lambside Corner Cottage, Newton Ferrers 37/0475/12/F (retrospective planning application for holiday letting unit). Decision: No further comment (*Vote: 7 in favour, 2 abstentions*)

232.12 Neighbourhood Planning-it was agreed to accept an invitation from Yealmpton Parish Council to attend a meeting arranged with SHDC Forward Planning Team to discuss Community Planning, the preference being for a date in February avoiding the dates of Parish Council Meetings. DALC were also arranging a free training event- Neighbourhood Planning: Getting Started workshop on 12 December. It was agreed to book 5 places on the course. A Member suggested that Mr. Lunn had made good points in Open Forum which should be recognised. However within the briefing document submitted by the RYDA reference was made to moving the development boundary (which was contrary to the Parish Council's express policy) and addressing the social need of the local community. The Parish Council had produced a housing policy to address this. The question for a Neighbourhood Plan should be kept under

review and that it should be noted and welcomed that there was a group of people prepared to help. Another Member suggested that following research it had shown there was no need for large scale development in the Parish. The Parish Council was still trying to get affordable Housing, importance being attached to the need to attract young people to the Parish rather than older people downsizing. Some Members felt the need to know more about the implications of a Neighbourhood plan and whether it encouraged development. It was agreed to debate the matter in March/April following the DALC/SHDC events. It was hoped by that time to also have the requested update on the Village Housing Initiative. It was agreed that it was too early to arrange a public meeting.

232.13 Consultation- Collaton Cross- a proposed public consultation event by a potential applicant to explore development opportunities had been planned to take place at the WIC Hall Newton Ferrers Saturday 24th November 2012 10.00am - 4.00pm. The Chairman advised that SHDC was not engaged in the process. The Agent on behalf of the landowner had asked to meet the Parish Council in private but her request had been declined. The Agent and the landowner's representatives had advised of their intention to address the Council in Open Forum on 8 November 2012.

232.14 Site visits- Revelarc, Riverside Road East- it was agreed to consider a report of the recent site visit at the Meeting on 8 November 2012, with a view to providing feedback to the developer.

233/12. ADMINISTRATION-

233.1 SHDC Asset Transfer /Parish Asset Registration- an update had been requested from Trobridges. The Vice Chairman made reference to the need to form a working group to manage the Pavilion in the near future. The Pavilion currently had reserves of approximately £1000 in its bank account.

233.2 DCC grant opportunities/Active Devon-

i) Active Devon- there were no suggestions for potential projects

ii) Locality Fund- it was agreed that the fund should be put towards a towable gritter. Mr. Barnett would obtain written confirmation from his insurers that he would be covered to tow a gritter.

iii) It was agreed to nominate the WIC Hall refurbishment project to receive the maximum funding available. The Vice Chairman agreed to speak to Cllr. Mumford.

233.3 Diamond Jubilee- RESOLVED: to authorise payment of an invoice for packaging for the Diamond Jubilee Commemorative Mugs payable to Repak Logistics Ltd in the sum of £160.92 (*Vote:8 in favour, 1 abstention*)

234/12 MEETINGS –

234.1 Western Cluster Meeting –the Vice Chairman gave a report of the meeting on 18 October 2012.

i) It had been reported that crime was up by 15% year-on-year in the SHDC area. Of this half of the increase had been down to one person committing multiple deception offences. Also an increase in violent crime, most of those involved knew each other. The police representative had also reported that the force would be returning to a geographic model of policing which would enable more of its effort to be concentrated on the South Hams area while retaining flexibility to assist other areas when required. Under the present system disproportionate policing was often concentrated on the towns to the detriment of rural areas.

ii) Town and Parish Fund. All five had been agreed including a community footpath linking Brixton and Yealmpton called the Silver Bridge Way; and rebuilding the ferry steps at Wembury supported by Newton and Noss PC. (The Dementia Project application from Brixton, supported by Newton and Noss, Wembury, Yealmpton, and Holbeton, had been agreed at the previous cluster meeting). There were two payments of £3,000 and four of £5,000 leaving a surplus of around £4,000 on the total fund. It had been agreed to distribute this proportionately among the applications which gave both of the Council's supported applications an additional £684.

iii) There had been questions asked about Neighbourhood Plans. Three town councils and one parish council had started the process. The Vice Chairman had outlined the Council's approach regarding this and the chief executive Richard Sheard had described the Council's policy as 'mature.' The Vice Chairman had mentioned the Council's concern that Neighbourhood Plans had to display a positive commitment to development, not to avoid it. Mr. Sheard had responded that a Neighbourhood Plan could 'invite more development than we want.' (After the meeting the Vice Chairman had spoken with SHDC leader John Tucker and Mr. Sheard regarding the Council's concerns over the lack of progress with the Parish affordable housing scheme and urged them to get involved to tackle whatever problems were holding it up).

iv) SHDC hoped to launch its new website at the end of January, 2013.

v) A review of Dog Control Orders was taking place which could mean extra powers for local councils.

234.2 Ivybridge & District Association of Local Councils- the Clerk gave a report of the Clerks' Meeting held on 17 October 2012 which had been attended by Mr. Nick Colton from DCC Highways Department. He had advised;

i) Most Highways funding went to attending A rather than B classification roads.

ii) DCC would clean roadside ditches in fields to improve drainage if it was on a gritting route, if there were perpetual flooding issues which affected other people or it formed part of scheduled highway maintenance. External ditches were cleared on an annual basis using a mini digger- A roads in the main. With respect to minor roads, ditches should be dug out by the landowner. If they did not do so DCC had the right to enter land and would dig far enough into the land of the water to soak away. A buddle hole was an established easement. DCC Lengthsmen now worked in pairs.

iii) Hedges- overgrown. Mr. Colton would contact the Parish Snow Warden to arrange training.

- iv) Road damage by developers- Mr. Colton had suggested surveying the condition of a road before and after use by developers - advising DCC of the position to support any claim for "Extraordinary Damage". A suggestion was made to incorporate the "Considerate Contractor" clause into planning permission.
- v) Parish TAP fund applications had been discussed.
- vi) Section 106 agreements- Wembury Clerk had advised that their Council were not getting very much under the terms of their agreement. The National Trust had sought part of the funds for a path; cycle path and a wall. SHDC were also using part to secure more affordable housing. Ermington Clerk reported that their agreement had been very good. The developer had engaged in excellent consultation- Members of the Parish Council having been invited to most Meetings with SHDC and the developer.
- vii) Neighbourhood Plans- Ugborough had undertaken the first initial consultation.

235/12 AUTHORISATION OF PAYMENTS – The cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mrs. Ansell and listed in Minute 236/12.

236/12 FINANCIAL SUMMARY

The following cheques were authorised totalling:

Chq No	PAYEE		£1138.11 AMOUNT
1564	Repak Logistics Ltd	Packaging-Diamond Jubilee Mugs*	£160.92
1565	Royal British Legion	Donation and Remembrance Wreath*	£100.00
1566	Brookings Down Wood Fund	Grant: Public Liability Insurance Costs**	£350.00
1567	New Noss Adventurers	Grant***	£350.00
1568	D.Goodchild	Grass cutting: The Green 6 & 21 September	£32.00
1569	Grounds Maintenance SW	Kilpatrick's bench repairs	£115.20
1570	RYHA	Slipway Cleaning Fluid	£29.99
Total			£1,138.11

*Section 137 Local Government Act 1972 payments:£260.92 Total to date;£1259.94

**S.144. Local Government Act 1972

***S.19. Local Government (Miscellaneous Provisions) Act 1976

237/12 CORRESPONDENCE

No Members were available to attend the stakeholder workshop by Western Power Distribution

238/12. MAINTENANCE

238.1 Wembury/River Yealm Ferry Steps- The TAP Fund application for contribution to the costs of repairs had been successful. Cllr Mumford had confirmed no contribution would be necessary from the Parish Council.

238.2 Invoices – RESOLVED: to authorise the invoice received for repairs to a bench at Kilpatrick's in the sum of £115.20.(Vote: *Unanimous*) No invoice had been received for repairs to the Butts Park bus shelter and it was agreed that this should be removed as an agenda item.

238.3 Other areas for consideration

- i) Mr. Matthews reported damage to the wall just above the disabled bay by Dillons, Parsonage Road. The Clerk would report the matter to DCC Highways.
- ii) Holy Cross Parochial Church Council had asked permission to erect a new notice board outside the south gate to the west of the seat, to which Members had no objection.
- iii) Mr. Hussell requested Members consider the state of the hedging by the painted "Slow" sign on the road at the entrance to the village.

Mr Matthews left the Meeting.

iv) The Project Co-coordinator for May Gurney had advised that due to tide times their next opportunity to progress works on site was week commencing 29th October,(half term week) and in order to expedite the works they were considering working the weekend of the 3rd & 4th of November as the tides are suitable. They had contacted the Parish Council, both pubs in Noss Mayo and the Harbour Master Office to inform them of their intentions for weekend working. It was agreed, in principal, that there was no opposition, and the Parish Council were keen to maintain the impetus of the work.

The impact of their work at the weekend (in terms of footprint on site) would be the same as during the week i.e. they had been using the public car park in Noss Mayo to park equipment, and access to the foreshore.

In committee

238.4 Parish Asset Inspection- the deadline for receipt of tenders received for repairs/maintenance to the wall at The Green had been extended following the issue of a more detailed works specification.

The Meeting closed at 8.45pm.

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