

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

**Held on 26 March 2015**

PRESENT Cllr. Cooper Mr. Cooper Mr. Matthews Mr. Lyndon Mr. Tubb Mrs. Ansell  
ALSO Miss. Cove Mr. Carter Mr. Hussell  
PRESENT 9 Parishioners Mrs. McDonough  
(Clerk)

**OPEN FORUM**

**Briar Hill Farm, Court Road 37/0518/15/F-** the architect outlined the new development proposals. The siting of the buildings had been pulled back to prevent overlooking of neighbouring properties. The proposed holiday homes would be “disabled friendly”. The roofs had been lowered. It was suggested that by virtue of the location being fully sustainable this would take precedence over old planning law development boundaries.

**Highways-** a parishioner living in the vicinity of Causlton Farm outlined his concerns over the condition of the highways. 500 cows passed over the road to Causlton Farm from the field on a regular basis. The condition of the road had been very bad over the winter. He had made a complaint to Devon County Council Highways and had advised the Police Community Support Office. He had received a leaflet detailing guidelines for farms and highways and what was acceptable/unacceptable. Cattle should not be allowed onto the verges and the roads should be cleaned after cattle pass. The DCC Local Neighbourhood Highways Officer had confirmed that the condition of the road was unacceptable, had spoken to the farmer who had been receptive, who was looking to increase his herd and who had advised that he had a new machine to clean the highway. The DCC Highways Officer would be referring the matter to his line manager.

**Rowden Farm-** a parishioner advised that building had been taking place at the back of Rowden Farm. He had referred the matter to South Hams District Council Development Control.

**Yealm Community Energy presentation-** Mr. Peter Brown gave a presentation to the Parish Council.

**Introduction-**Community Energy was part of Government and Local Government Policy. Community Energy was promoted in local government strategy (Devon County Council & South Hams District Council). There was a UK legal requirement to cut CO2 emissions by 15% by 2020 together with the implications of the Localism Act. The Government target was the production of 3,000 MW community energy by 2020.

**Local background-**Newton and Noss Environment Group had run energy projects since 2010 including; Energy Fairs, Open Homes, Feasibility studies and Workshops on “energy savers”.The group was a member of SW Devon Community Energy Partnership (SWDCEP) – with Tavistock, Ivybridge, South Brent, Totnes and Teign Valley. This had opened opportunities to source grant funding for energy saving projects and ideas for generating energy.

**Proposals-** to form a Community Benefit Society (CBS) to generate renewable energy. This would be a type of Mutual- which would be approved for tax relief. Benefit (profit) would go to the community for energy investments. 1 member 1 vote, irrespective of shareholding. The community base would be widened to include Yealmpton, Brixton & Holbeton which would increase opportunity and reduce risk with the benefits of economy of scale.

**How would it work-** an Energy Generation Company with a parallel Social Enterprise Company to dispense profits to community.

**Benefits-**

- Part or full ownership of local Renewable Energy schemes. Reference was made to the presentation by Good Energy which had put forward proposals before the formation of the Community Benefit Society. A view was expressed that the benefits from the Good energy Scheme were likely to be minimal with little control other than potentially objecting to the planning application. There was Government guidance, albeit not statutory as yet, stating that if energy came into a community, where there was a CBS/local energy generation company then the energy supplier must go into partnership with them.
- Control over location and standards. Mr. Brown advised that he and the Vice Chairman of the Parish Council had visited a solar farm two days previously. Whilst sheep were grazing, the grass was very poor- the appearance being “scrappy”.
- Local investment e.g. share offer with 6-7% return with profit to Community Trust Fund to help reduce energy costs & improve energy efficiency locally.
- 60 acres of solar could generate the annual domestic electricity use in the 4 parishes.
- £1 spent locally would be worth £1.76 to the local economy & only 36p if spent outside.

**What the profits could fund;**

The profits could be used to reduce energy poverty through improved insulation, draught-proofing and new boilers. Other examples given were solar on schools, public buildings and housing association homes, charging points for electric vehicles and an electric mini-bus shuttle to Yealmpton/Plymouth.

**Next Steps**-presentations would be given to other Parish Councils. A Community for Renewables Consultant would be employed to guide the Yealm Community Energy Group through CBS registration, negotiate with landowners and Western Power Distribution, to produce a business plan and to plan community engagement activities. Upon being asked, Mr. Brown advised that it was not yet possible to advise what income would be generated- it would depend on the location, size and running costs. The profit over and above the 6-7% return to investors would go into community benefits.

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**60/15 APOLOGIES FOR ABSENCE**- there were apologies from Mr. Taylor, Mr. Stitson and Mrs. Evans. Mr. Carter left the meeting due to ill health.

**61/15 MINUTES** –the Minutes of the 26 February Meeting were confirmed and signed as a correct record.

**62/15 INTERESTS TO BE DECLARED** - members were invited to declare interests in the items for discussion during the course of the Meeting. Mr. Hussell and Mr. Tubb both declared interests in the Briar Hill planning applications due to owning properties in the vicinity.

**63/15 DISPENSATION REQUESTS**- none.

**64/15 VARIATION OF AGENDA**- RESOLVED: A quotation for grounds maintenance at The Green should be considered in Committee. (*Vote; Unanimous.*)

RESOLVED: Consideration of pre planning applications/ planning enforcement matters should be considered in Committee. (*Vote; Unanimous.*)

**65/15 COUNTY and DISTRICT COUNCILS**

**65.1 County Councillors Report-**

**i) Parking-** at the request of Mr. Ian Hemelik, Cllr. Hosking had met with 16 parishioners to hear their representations about the parking restrictions along Yealm Road, Newton Hill and around The Brook. The parishioners felt the parking restrictions to be counter productive and wished to see them lifted. Their second proposal was to extend the parking restrictions to 2 hours (which would be supported by the owner of The Dolphin who felt 45 minutes was too short to allow people to dine). Cllr. Hosking was advised that approximately a year ago, similar concerns were raised following a phase of parking enforcement measures taken by South Hams District Council. Following public consultation, the Parish Council put forward some suggested changes for implementation by Devon County Council. The Council was satisfied with the changes put forward to DCC in January 2014 (*Min 07/14 refers*).

**ii) Disabled parking-** a request had been received for a disabled parking space along Riverside Road East. Cllr. Hosking was advised that the Parish Council was unlikely to support the proposal due to the finite amount of parking in the Parish. Cllr. Hosking was also advised that a developer of a property along Riverside Road East had been in contact with the Parish Council seeking support for removal of parking along the road.

**iii) Caulston Farm-** Mr. Hussell believed the Chairman of the Parish Council had written letters in respect of mud on the road problems in 2003/2004. It was suggested the farm was in a dip and mud tended to collect. Whilst accepting farmers' obligations in respect of highways, it was a rural area and could be avoided. The matter was in the hands of Devon County Council.

**65.2 SHDC TAP funding 2015/2016-** whilst Parish Council was aware of issues raised by other parishes regarding payments under the scheme being retrospective, it was agreed that the Council was not concerned regarding payments being made after the work had been completed given the level of reserves. RESOLVED: to confirm to Wembury Parish Council that Newton & Noss Parish Council was happy with the TAP Fund Agreement for 2015. (*Vote: Unanimous*)

It was agreed Members would consider work to be included for the project. Mr. Nick Colton, DCC Highways, had advised that the replacement of 30mph signs by the water tower at Butts Park/ repeater 30mph signs may be inappropriate. The distance between the lamp posts indicated the speed limit. Signs/repeaters were only put on lamp posts if the speed limit was other than 30mph. He would however take a look at the distance between the lamp posts in the area to check.

The Vice Chairman had taken photographs of the area requiring attention on the Collaton/Butts Park footpath, Mr. Hussell having marked the section on a map.

**65.3 Highways/Transport.**

**i) Riverside Road East-** a representative from Ash Mills Development wished to raise the issue of the stretch of road opposite their scheme at the property formerly known as "Revelarc" where people had been parking until Fraser Langdon commenced work and obtained a temporary restriction. Concerns were expressed that it was very tight, the parked cars restricted access along Riverside Road East, did not enhance the Conservation Area and could be considered to be dangerous where pedestrians and vehicles met and had to pass each other. Given the above and the desire identified in the Conservation Area Assessment to improve the road, they felt it would be sensible to consider removing this parking area. RESOLVED; Ash Mill Developments would be contacted to advise that the

Parish Council had considered the matter and could not support their proposal to remove the parking area along Riverside Road East. (Vote; Unanimous). The Clerk would copy Devon County Council Highways in.

#### **65.4 SHDC Asset Transfer/Parish Asset Land Registration-**

**i) Legal-**the signed Deed of Surrender and Transfer had been sent to Curtis Whiteford Crocker on 23 February. The Clerk had asked them for an update.

**ii) Rates-**South Hams District Council Senior Valuer had advised none of the assets were currently rated. South Hams District Council could not provide any guarantee though that the situation would not change in the future as this was a matter for the District Valuer of the Valuation Office. She hoped the Transfer could proceed. It was agreed the Clerk would respond to her advising that the Transfer documentation had been returned to Curtis Whiteford Crocker on 23 February.

**iii) Sports Pavilion/Butts Park-**Mr. Tubb advised that the asset maintenance working group had met on 25 March 2015 with the Parish Clerk in attendance. Mr. Hussell and Mr. Josh Dunn had sent apologies. A full report of the meeting would be circulated to the Council.

**Group Members-**Mr. Tubb, Mr. Lyndon, Mr. Stitson and Mr. Hussell. Also invited to participate; Mr. Barry Furzeland (Cricket Club), Mr. Josh Dunn (Football Club) and Mr. John Young (former Parish Council Chairman).

**History-**the Sports Pavilion had been built approximately 36 years ago on land owned by South Hams District Council. Mr. John Young, whilst Parish Council Chairman, had undertaken significant refurbishment to the Pavilion. Planning permission obtained in 2009 to do further improvements had now expired. Mrs. Barbara Fear had acted as Treasurer and key holder for many years. Mr. Tubb had taken over the role of Treasurer. Mr. Tubb was a joint signatory for the Sports Pavilion bank account (independent of the Parish Council) which had received funds from the Cricket/Football Clubs. The funds had been used to pay water and electricity charges. The account had modest funds in credit.

**Licence-** Mr. Stitson and Mr. Furzeland advised that the Cricket Club and Football Club could be open to the suggestion of having a Licence for both the Sports Pavilion and the playing field. It was agreed Mr. Matthews would assist the group in drafting and negotiating potential Licences for the Cricket/Football Clubs with Newton & Noss Parish Council.

**Insurance-**The Parish Council had public liability insurance for all land that was either owned by or was the responsibility of the Parish Council. The Cricket Clubs and Football Clubs had their own insurance.

**Risk Assessments-**copies of the pro forma risk assessments provided by the Parish Council's insurers had been passed to the Parish Council Members in the group and to the Football/Cricket Clubs. Mr. Stitson and Mr. Tubb had performed the risk/fire risk assessments last year (due for review in April/May this year.) Regular documented inspections would be needed of the playing field and the sports pavilion

**Events in the Sports Pavilion/ playing field-**copies of the pro forma booking form used by SHDC had been provided together with information regarding entertainment and alcohol licences.

**Signage-**new signage had been discussed.

#### **Maintenance**

**1. Grass** – SHDC had agreed to undertake grass cutting for two years from the date of transfer of the assets to the Parish Council. Mr. Hussell was in contact with SHDC regarding the schedules to tie in with football and cricket matches. Mr. Furzeland advised that he had cut the cricket pitch himself. Towards the end of the two year maintenance period, it was accepted alternative arrangements would need to be investigated and tenders sought.

**2. Trees** –. There were plans for Miss Cove, the Clerk and the Tree warden to visit Butts Park play area to look at the trees. Miss Cove agreed that they would look at the playing field trees at the same time.

**3. Gates** – there had been locks on the playing field gate but someone had kept cutting them off.

**4. Bins** - Butts Park play area had both a general waste bin and a dog litter bin. It was believed that both would continue to be emptied by SHDC.

**5. Electrical/PAT Testing-** was due shortly. PAT testing had to be undertaken annually.

**6. Refurbishment/renewal-** reference had been made to lottery funding available to community groups.

**7. Water quality-** not discussed but should be considered.

**8. Dogs-**it was thought the Dog Warden had been active in the area and there was a new sign on the gate. There were concerns that people were using the playing field to exercise their dogs which was thought to be inappropriate. Dog Control Orders/a ban on dogs had been discussed. Mr. Tubb would bring the issue before the Parish Council at a later date.

**iv) Noss Mayo-** Mrs. Ansell, Mr. Stitson and the Clerk were due to meet the following week.

**v) Area by Dillons car park-** the Yealm Garden Society had been approached but felt unable to assist as they were not able to take on long term projects that required continued forward maintenance. It was suggested to ask for volunteers to have a "working day" in the autumn could plant bulbs ready for spring 2016.

**vi) Play parks-** Mrs. Carrie Griffiths had advised that the hedges and brambles could be trimmed at Noss play park. The signage request had been submitted to SHDC. The Clerk was waiting to hear from the Tree Warden regarding a site visit.

#### **66/15 PLANNING**

#### **Planning decisions**

- 66.1 The Cottage, 97 Court Road 37/2600/14/F**-erection of dwelling with ancillary studio and garage to replace existing garage/ancillary living accommodation. Affected a public footpath or right of way. **SHDC:** Granted. This had been decided by the Development Management Committee. Although Mrs. Ansell had attended the site visit, no Members of the Parish Council had been available to attend the Committee Meeting. The Chairman suggested that she had been told that the application had been granted as the Parish Council had not send a representative to the committee meeting. Mr. Matthews advised that he had spoken with Cllr. Keith Baldry who had told him that the lack of a Parish Council representative at the meeting had made no difference to the outcome.
- 66.2 Development site at Little Beacon, Middle Leigh, 37/0144/15/F**-erection of 1no. bungalow with 2no. bedrooms in roof space and associated works. **SHDC:** Granted.
- 66.3 Overcreek House, Revelstoke Road 37/0156/14/F**-householder application for vertical extension to provide second floor to dwelling. Application affected the setting of a Conservation area. Affected the setting of a Listed Building. Withdrawn.
- 66.4 Berberis, Lower Court Road 37/0353/15/MIN**-non material amendment to planning approval 37/2563/13/F **SHDC:** Granted.
- 66.5 Priors Hill, Stoke Road 37/0117/15/F**-householder application for conversion of garage to habitable space, extension of front terrace and internal remodel. Application affected the setting of a Conservation Area, the setting of a Listed Building and a public footpath or right of way. **SHDC;** Granted.
- 66.6 61 Yealm Road 37/3075/15/CLP**-Schedule 1 – single storey extension to existing kitchen/utility room. Certificate of Lawfulness for proposed use or development.
- 66.7 Elstow, 60 Yealm Road 37/3139/14/F** householder application for swimming pool, pump house and car port (part retrospective).**SHDC;** Granted.
- 66.8 2 Munro Avenue 37/3218/14/F**- householder application for side extension. **SHDC:** Granted.
- 66.9 Yealm Reach, 97 Court Road 37/2601/14/F**-erection of dwelling and garage with associated access. Affected a public footpath or right of way. **SHDC:** Refused.
- 66.10 Peal Rise, Newton Hill, 37/3034/14/F**- householder application for conversion of roof space of existing garage to annex to accommodate carer.**SHDC:** Granted.
- 66.11 Sprats Cottage, 50 Creekside Road 37/0044/15/F**-householder application for removal of existing shed and greenhouse and replacement with oak framed summerhouse with slate roof. **SHDC:** Granted.
- 66.12 Sprats Cottage, 50 Creekside Road 37/0045/15/LB**-Listed building consent for removal of existing shed and greenhouse and replacement with oak framed summerhouse with slate roof and replacement of asbestos roof to cottage side store with lead roof and internal water proofing works and plastering. **SHDC:** Granted
- 66.13 Boundary of Heron's Reach and Menryn, Court Wood 37/0617/15/tw.** County of Devon (Court Wood, Newton Ferrers) Tree Preservation Order 1960. Works to Tree Preservation Order Trees.T1.Ash.Fell.**SHDC:** Grant of Exemption. Reason: Dead or dangerous.
- Planning applications received including**
- 66.14 Woodlands, Revelstoke Road 37/0455/15/F**- householder application for creation of off-road parking area (resubmission of 37/1236/14/F0. Application affected the setting of a Conservation Area. Affected the setting of a Listed Building. Affected a public footpath or right of way. **DECISION;** No objection (*Vote; Unanimous.*)  
*Mr. Hussell and Mr. Tubb left the Meeting*
- 66.15 Briar Hill Farm, Court Road 37/0518/15/F**- replacement of existing barns with two holiday homes and owners dwelling with storage space. Members considered the matter. An application under 37/3031/11/F had been objected to by the Parish Council, one of the reasons being that the proposals lay outside the village development boundary. Reference was made to the refusal of permission to develop an adjoining property at The Bower, Parsonage Road. The applicant suggested that the reasons for SHDC refusing that application was due to the proposals for the garage/store being designed to be a separate dwelling .He suggested the development boundary was no longer what it had been. A Member referred to the Parish Council objecting to other development proposals as they had laid outside the village development boundary. Another member suggested that the proposals did not constitute over development of the site. The existing building was a barn being converted for holiday use and so did not involve any reduction in permanent homes. Another Member suggested that the reason the villages had not expanded into the size for example of Plymstock was due to adhering to the development boundary and that until the Neighbourhood Plan had been confirmed there should be no building outside the village development boundary. A question was raised as to why development was approved for the Village Housing Initiative along Parsonage Road as that too was outside the boundary. It was explained that it was an Exception Site for affordable housing that could not otherwise be built within the village development boundary.  
**DECISION;** Objection. The Parish Council maintained their reasons for objecting to the proposals as submitted under planning application reference 37/3031/11/F. The proposed development was not within the village development boundary. (*Vote; 4 in favour of objecting, 2 abstentions.*)The applicant advised that he would be contacting SHDC to make representations against the way in which the matter had been voted upon- in particular the Chairman taking part in the vote in light of her personal issues against him.  
*Mr. Hussell and Mr. Tubb returned to the Meeting.*
- 66.16 97 Yealm Road 37/0569/15/F**- householder application for first floor balcony extension with roof over and alterations to boundary balustrade with rebuilding of entrance bridge. **DECISION;** No objection. The applicants should however submit a construction management plan to alleviate the shortage of parking spaces in Yealm Road

in high season and obstruction of traffic along Yealm Road caused by deliveries. No deliveries at weekends. (Vote; Unanimous.)

**66.17 Development Management Committee meeting;** The Cottage, 97 Court Road 37/2600/14/F (Min 66.1 refers)

**66.18 Neighbourhood Plan** – there was no update.

### **67/15 ADMINISTRATION**

**Annual Parish Meeting-** no matters had arisen from the meeting requiring discussion.

### **68/15 CORRESPONDENCE**

**68.1 Dementia Friendly Parishes-**Mrs. Caroline Hirst had provided an update Report which had been circulated to Members. Maxine Kennedy, the Project Coordinator for Dementia Friendly Parishes around the Yealm had spoken about their ground breaking work across the 5 parishes at the fourth Plymouth Dementia Conference at Plymouth Guildhall on the 6th February. She had described how closely they worked with people with dementia and their families to help them continue to be involved in community life and activities and how they worked with businesses, organisations and groups as well as health and social care professionals to raise awareness about dementia in their communities. Their project had been seen as innovative and inspirational to the 400 delegates from across the region attending the conference. Ian Sherriff of the Prime Ministers Rural Challenge Group had also reported that the DFPaY project was promoted as a national exemplar.

At a well-attended Annual General Meeting held on 26<sup>th</sup> February 2015, Maxine had given a report on the work of the project over the past year.

**Project Development-**Maxine was at present supporting 39 families. Administrative support to Maxine was being offered by one of their committee members and a new supporter had taken on the setting up and administration of the website and a Facebook page. Maxine continued to gather real accounts and quotes to use on the website and in the media, and welcomed any positive or negative feedback that had been received by Parish Councils. As progression and action towards becoming a registered charity continued, they were in the process of drafting compliant policies.

**Finance and Fund Raising-**the annual accounts for the financial year (October 2013 to September 2014) ended with a balance of £22,044.85. By the time of their last meeting, the balance had increased to approximately £29,700 through donations and grants including over £2000 which had been raised through The Festival of Christmas Trees at Holy Cross Church.

**Current and Future Events-**Attendance remained low at the Social Reading Group held in Modbury on Thursdays. More may attend in a more central location so the Parish Room in Yealmpton was being considered. The Gentle Exercise Classes at the WI Hall Newton Ferrers and the Art and Craft Club meeting twice a month in Yealmpton, to which anyone was welcome, continued to be very successful. Monthly afternoon tea sessions, open to everyone, were held at Riverford Café on a Friday afternoon. Plymouth Arts Centre had started to screen Dementia Friendly matinee films. Further information appeared on their website.

Promotion of any of their events was welcomed. The date and time of their next meeting was Thursday 16<sup>th</sup> April 2015 from 2.00-4.00pm at the Parish Rooms Yealmpton.

**68.2 Newton & Noss Network-** a request had been received from the Defibrillator Group to place notices on the Parish Council noticeboards. Members were sympathetic to the request and would very much liked to have helped. However, the Parish Council was obliged to display certain statutory notices and space was often very short on the noticeboards. The Parish Council agreed that they would need to decline the request on this occasion.

**68.3 Notice boards-** a letter received from Mr. Peter Robinson regarding cars parking close to Noss notice board was noted.

**68.4 Neighbourhood Health Watch-** Mr. Tubb had attended the presentation on 17 March and outlined the scheme.

### **69/15 YEALM COMMUNITY ENERGY-**

Good Energy had advised that the provisional date for the public exhibition for the proposal at Newton Downs Farm was set for 20 April.

The Vice Chairman had been advised that after 25 years the land occupied by a solar farm would be considered "Brownfield" and could be built upon.

**70/15 AUTHORISATION OF PAYMENTS** – there were no payments to be authorised.

### **71/15 MAINTENANCE**

#### **71.1 Other areas for consideration**

**i) Footpaths-** Mr. Hussell reported concerns regarding a Holm Oak spilt from the trunk behind the Yealm Hotel which could be a danger to the public using the footpath between Lower Court Road and Yealm Road. The Clerk would report the matter to Devon County Council Public Rights of Way Department.

**ii) Noss Voss footpath-** the land adjacent had been cleared. Mr. John Allen had proposed to have the foreshore wall rebuilt. It was suggested Mr. Allen write to the Parish Council outlining his proposal with sketches and dimensions. It had not been possible to trace ownership of the land.

**iii) Noss Hard-** the meeting was advised that the Gig Club would be replacing the poles on two exposed attachment points which had been causing concern.

**iv) Noss Voss-** it was agreed the Clerk would contact M & S Garden Services to find out when it was next due to be cleaned. There had been concerns over mud on the Voss with the forthcoming Easter holidays.

In Committee

**71.2 The Green-** a quote had been received to clear the beech casks from the area outside the WI Hall. It was agreed not to proceed with the work at this time.

**72/15 PLANNING ENFORCEMENT/PRE APPLICATIONS**

Reports of three new planning enforcement matters were considered together with one pre planning application matter.

SHDC Planning enforcement had advised that they had investigated an alleged breach of planning control at Myrtle Cottage, Riverside Road West but having visited the site, the planning enforcement officer concluded that the garden was being re surfaced and landscaped but did not involve engineering or building operations requiring planning permission. She had closed the file.

*The Meeting closed at 9.30pm*