

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

Held on 28 February 2013

PRESENT Cllr. Cooper Mr. Cooper Mr. Tubb Mr. Matthews Mr. Gough

Mr.Hussell Mrs. Ansell

ALSO

Mrs. McDonough

PRESENT

(Clerk)

7 parishioners were present for the Meeting

OPEN FORUM

Land at the Pumping Station/Broken Way- the owner of "Springfield", Pillory Hill outlined his position regarding the section of riverside embankment between the Pumping Station and Yew Tree Cottage. He had moved to the property in 2002. The section of embankment had been overgrown which he had cleared and maintained since 2002. He had made enquiries into ownership of the unregistered land and had believed that the Parish Council did not own it. The owner of a property adjacent to the land advised that she had been of the impression that the land was in the care of the Parish Council to prevent development. SWW were undertaking some work below her property and that issues could be complicated if access were required.

An owner of a neighbouring property expressed concern about future development of the land and protection of the land by suitable covenants as to no development were ownership to be transferred. There was also the issue of the limited parking adjacent to the land.

Another parishioner felt the Parish Council should hold the land. Anyone taking ownership of the land would be liable to support the highway.

A Member confirmed that the Parish Council was not the legal owner of the land. He expressed his personal view that it was Common Land and that were it taken into private ownership there was the potential for quay development. It was DCC Highways responsibility to ensure support for the highway.

38/13 APOLOGIES FOR ABSENCE- there were apologies for absence from Mr. Carter, Mr. Stitson, Mr. Taylor and Mr. Barnett. Mr. Lyndon's apologies were received shortly after the Meeting.

39/13 INTERESTS TO BE DECLARED - Members were invited to declare interests in the items for discussion during the course of the Meeting. Mr. Hussell declared an interest in matters relating to website management by virtue of being related to the website manager.

40/13 DISPENSATION REQUESTS- none were made.

41/13 MINUTES –the Minutes of the 24 January Meeting were confirmed and signed as a correct record

42/13 PROPOSAL TO VARY THE AGENDA- RESOLVED: To vary the Agenda such that the item relating to Broken Way be heard first in light of interested parishioners who were in attendance. *(Vote; Unanimous)*

43/13 LAND AT THE PUMPING STATION/BROKEN WAY- the owner of "Springfield", Pillory Hill had written to the Parish Council regarding the section of embankment between the west boundary of the Noss Mayo Pumping Station on Pillory Hill and the east boundary of Yew Tree Cottage. The parishioner had asked whether the land was owned by the Parish Council, having made enquiries with SHDC/Plymouth District Land Registry dating back to 2002 as to ownership. It had been established that the land was unregistered. The parishioner was advised that the Parish Council was not the legal owner of the land. The parishioner stated that he would like to acquire ownership but had no intention to develop the land. The parishioner was advised by a Member that he considered the parcel of land to be Common Land and that he did not consider the parishioner had acquired possessory title. Should an application be made to register ownership it would be objected to. It was agreed unanimously that the Clerk should make investigations into the possibility of registering the land as Common Land and that the Parish Council had no objection to the owner of "Springfield" having access to the land.

44/13 PLANNING

SHDC planning decisions/withdrawals –the most recent notifications received were noted

44.1 Land at SX552481, Barnicott, Bridgend Hill 37/1999/12/F-change of use of paddock to tennis court. Application affected the setting of a Listed Building. **SHDC:** Granted

44.2 WI Community Hall 37/2853/12/F-full application for extension and replacement of roof covering and cladding of front elevation. **SHDC:** Granted

44.3 Three Corners, Bridgend 37/2882/12/F-householder application to replace two existing store buildings

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with a new single boat store and workshop. Application affected the setting of a Listed Building. The site adjoined/affected a public right of way. **SHDC:** Granted

44.4 9 Yealm Road 37/2861/12/F- householder application to provide a new two storey extension. Provide two new windows, extend and partly rebuild a glazed walkway. Build a new detached garage. **SHDC:** Granted

44.5 Farthings, 2 Yealm View Road 37/2445/12/F-householder application for alterations and extension to existing dwelling house to include the amalgamation of existing separate ground floor flat to provide one single dwelling. The site adjoined/affected a public right of way. **SHDC:** Granted

44.6 78 Yealm Road 37/2908/12/F-householder application for formation of new access steps and disabled sloping platform lift and associated works, including extension to garage lobby at lift top, and extension to bedroom and internal remodelling to form carer accommodation. **SHDC:** Granted

44.7 11 Court Road 37/0135/13/F-householder application for the replacement of existing conservatory and entrance porch with new. **SHDC:** Granted

44.8 93 Court Road 37/0021/13/F-householder application for single storey rear extension with balcony over. The site adjoined/affected a public right of way. **SHDC:** Granted

44.9 The Bolt Hole, 11 Rowden Court 37/0120/13/LB-Listed Building Consent to alter building by removing two internal walls on ground floor .Application affected a Listed Building. **SHDC:** Granted

44.10 1 Butts Park 37/0026/13/F- householder application for alterations and extension to existing dwelling. **SHDC:** Granted

44.11 Quillet, Lower Court Road 37/0130/13/F-householder application for two storey infill extension and new main entrance to first floor. The site adjoined/affected a public right of way. **SHDC:** Granted

Planning applications received

44.12 Revelarc, Riverside Road East 37/0262/13/F-full application for the demolition of existing units and associated garages and the erection of 3 cottages with garages and associated external works. Application affected a Conservation Area. Members who had attended a site visit commented that they had made no suggestion that the building should be pulled down. Concern was expressed about contractors using Newton Hill and a parishioner had raised concerns about potential damage to the granite cross. DECISION: Support-subject to the Conservation Officer being satisfied with the proposed plans and subject to a condition being attached such that construction vehicles and building materials were transported using the tidal road and not Newton Hill.. (*Vote: 5 in favour, 2 abstentions*)

44.13 Anchor Cottage, Riverside Road East 37/0259/13/F-renewal of extant planning application 37/0235/10/F (householder application for erection of glazed screen on existing wall.) Application affected a Conservation Area. DECISION: No objection. (*Vote: 6 in favour, 1 abstention*)

44.14 Old Puslinch Farmhouse 37/0318/13/LB-retrospective Listed Building Consent for replacement of existing porch with oak framed/stone clad porch. Application affected a Listed Building. DECISION: No objection. However the Parish Council did not support retrospective planning applications. (*Vote: 6 in favour, 1 abstention*)

44.15 Summertide, Stoke Road 37/0337/13/TW-South Hams District Council (Parish of Newton & Noss) (No.16) Tree Preservation Order 1997. Register number of Notice: 336. Work to Tree Preservation Order Trees. DECISION: The Parish Council supported the Tree Warden's recommendations. (*Vote: 6 in favour, 1 abstention*)

44.16 The Green House, Bridgend Hill 37/0371/13/F-householder application for the building of retaining wall. DECISION: No comment. (*Vote: 6 in favour, 1 abstention*)

Appeals

44.17 The Lodge, Lambside Corner Cottage APP/K1128/C 12/2178502 and APP/k1128/A/12/2181604- the Chairman agreed to attend the public enquiry on 5 March.

Site visits

44.18 The Point 37/1296/12/F- Mrs. Ansell gave a report of the SHDC Development Management Committee site visit. It was felt that the Committee were going to recommend approval of the planning application subject to structural concerns.

44.19 Meetings-it was agreed the Chairman/ Vice Chairman and Mrs. Ansell would attend the Parish Council Planning Workshop at South Hams District Council Wednesday 27th March 2013.

45/13 MAINTENANCE

45.1 South West Water- Mr. Hussell reported that the leak from a manhole cover at the Yealm Steps had stopped.

45.2 Bridgend wall- the Chairman advised that she had funding available from her District Council Locality Budget which could be available to go towards effecting repairs to the Newton side of Bridgend Wall subject to tracing ownership/responsibility for the wall. Enquiries had also been made with Cllr Mumford. Members considered that Devon County Council had maintained the wall to date and that they had responsibility for repair. It was agreed the Parish Council should take no further action to investigate repairs itself. It was further agreed that a letter should be written to Devon County council Highways Department to thank them for conducting the repairs to the wall. Members felt that the contractors had done a good job with excellent workmanship.

45.3 Areas for consideration

i) Parsonage Road- concerns had been raised regarding a landslip near Newton Village furniture. It was noted that the owners of the affected land were working to effect repairs.

ii) **Parsonage Road**- Mr Matthews provided an update following a complaint by a parishioner that some residents had been keeping wheelie bins on the pavement outside their cottage. South Hams District Council had written to the residents seeking their removal from the pavement save on collection days.

iii) **Leas/Cinder Path closure**- a letter from the Chairman of the RYDA was considered asking for confirmation as to when the works on the footpath were expected to be completed and to encourage DCC to expedite the repairs so that the path could be put back in use as soon as possible.

Members were advised that the Parish Council had been maintaining contact with Devon County Council's Public Rights of Way Department. At the end of January, one of the Public Rights of Way wardens advised that Devon County Council were undertaking surveys and assessment works. If the County Council decided to undertake works it would be some time before the path was re-opened. He was concerned that closure signs had been removed, tapes cut and that the public could feel the path was safe to use. However with freezing ground it was possible that the path would collapse further and therefore the path should not be used.

It was agreed that Clerk should seek an update, for confirmation as to when the works were to be due to be undertaken and the anticipated completion date- particularly in light of the forthcoming tourist season.

46/13. ADMINISTRATION-

46.1 SHDC Asset Transfer /Parish Asset Registration- The working group had reviewed the replies to Preliminary Enquiries and draft contract received from SHDC. A draft letter had been prepared to be forwarded to Trobridges, and circulated to Members in advance of the Meeting for approval.

In negotiations with SHDC in July 2011 the Council had advised that it would wish to be satisfied with the condition of the Tennis Courts and any funding available from SHDC for this purpose. SHDC had advised in January 2012 that SHDC would be prepared to transfer £8775, being the anticipated funds from a Section 106 agreement for the Village Housing Initiative project at Parsonage Road. The monies were to be used for sport and recreation subject to the funds being received by SHDC and subject to the Council covenanting to the terms of the S.106 agreement.

The preliminary enquiry replies from SHDC advised that they were no longer able to pay these monies to the Council as the contribution for open space and sport and recreation has not been paid. Trobridges had asked whether this was agreed by the Parish Council. RESOLVED: The land transfers were not conditional on the Section 106 Agreement but that the funding would be welcome should it become available. (*Vote: Unanimous*)

The draft letter to Trobridges prepared by the working group in respect of SHDC replies to Preliminary Enquiries was approved

46.2 Website- SHDC had recently updated its website which had resulted in the work conducted by the website manager, enabling quick and efficient downloading of planning applications for display at Parish Council Meetings, to be nullified. The website manager had advised that to update would involve 4 hours work. RESOLVED; To authorise the website manager to update the facility to download planning applications for display at Parish Council Meetings subject to a maximum cost of £100. (*Vote: 6 in favour- Mr. Hussell did not take part in considerations or the vote*).

47.3 Expenses claim- RESOLVED: To authorise Mr. Roger Barnett's travel expense claim for collecting sand bags from Ivybridge for the Parish (£25.20) (. (*Vote: Unanimous*)

47/13 CORRESPONDENCE

The Provision of Fire and Rescue Cover in the South Hams-

It was agreed the Parish Council would raise two concerns/matters;

1. To ensure that small fire appliances were sent to Newton & Noss in light of the road widths.
2. Members would be concerned if response times were affected.

48/13 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 49/13. Resolved: To authorise payments made to British Telecom for Broadband Internet Services by Direct Debit (*Vote: Unanimous*)

49/13 FINANCIAL SUMMARY

The following cheques were authorised totalling:

£126.18

Chq No	PAYEE		AMOUNT
1615	South West Water	Public Tap-Pillory Hill 14/11/12-14/2/13	£11.50
1616	ICC Inter Parish Quiz Committee	Grant: contribution to annual running costs * Inter Parish Quiz 2013	£10.00
1617	R. Barnett	Travel expense claim: sandbag collection*	£25.20
1618	BT Payment Services Ltd	Internet services 3 January-30 April 2013	£79.48
Total			£126.18

*Section 137 Local Government Act 1972 payments:£35.20 Total to date;£2969.54

50/13 NEIGHBOURHOOD PLAN

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The Parish Council had been disappointed that the SHDC presentation to local parishes had been cancelled. A local architect had advised that he would be prepared to lead the preparation of a Neighbourhood Plan for no charge. A suggestion was made that preliminary enquiries be made to see who would be prepared to become involved in preparing a Parish Plan rather than membership of any group being centred on one particular interest group. Members had noted that some parishioners felt that the community should increase in size and that some developers were interested in sites in the South Hams from which they could make a profit. Large development was taking place in Wembury and Brixton. Consultation on development had been instigated by the Collaton landowners. Consideration was given to the influence of a Neighbourhood Plan on the District Council who would be obliged to take it into account when dealing with planning applications. The Neighbourhood Plan would become part of the planning framework for the area. Some Members were concerned that a Neighbourhood Plan was all about development and that it could not be used to restrict/control development or ring fence land the Council/Parish did not wish to be developed. It was agreed that enquiries would be made with the Planning Advisory Service to see if they would be holding/would be prepared to offer a Neighbourhood Planning Workshop in the area for local parishes.

The Meeting closed at 8.35pm