

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

**Held on 12 October 2017**

**PRESENT MRS. ANSELL CLLR. GREEN MR. HUSSELL MR.TUBB MS.ADAMS MRS.GRANT**

**ALSO PRESENT;** 1 member of the public, Cllr. Richard Hosking, Mrs. McDonough (Clerk).

**OPEN FORUM**

**Police matters-PCSO 30540** Andy Potter had sent apologies and the following Newton Ferrers and Noss Mayo Police Report for September 2017-no reported crime.

**Barnicott planning application 3125/17/FUL**-the applicants' planning agent Mr. Mark Evans gave a short presentation on the new development proposals. The applicants had tried to address the Parish Council's objections to the previous development proposals submitted.

The concerns raised by the Council regarding the impact on an Area of Outstanding Natural Beauty had been upheld by the Planning Inspectorate. The new proposals had taken the development out of the paddock into lawful curtilage in the garden. There was already planning consent for tennis courts (2012.) Upon being asked, Mr. Evans advised he was not aware of any conditions restricting use of the land when planning consent was granted. The new property would have possession of the tennis courts

With respect to impact on a Listed Building- the separation and distance should not be an issue.

The Parish Council had objected to the access point being within the sunken lane area which the Planning Inspector had upheld. The current access had been moved to a point by the existing garage and outbuilding in the widened section of the road and open lay by area. A low domestic hedge would be removed. The trees would not be touched. The proposals would not affect the sunken green lane area. The creation of a new entrance could be considered a planning gain in terms of highway safety.

The planning Inspector had not considered the previous appeal history to be relevant given the time lapse.

The previous development proposals had been for a two storey white box. The current proposals were for a single storey split level bungalow stepped up the site. The green roofs and green copper cladding would soften the impact.

Mr. Evans agreed to arrange a site visit which would be attended by the Chairman, Vice Chairman and Mrs Grant.

Mr. Evans accepted the proposals were outside the Village Development Boundary but this was considered irrelevant in the current climate unless it was considered unsustainable development.

Mr. Evans advised there was no intention to build another house below the current proposed building.

**240/17 APOLOGIES FOR ABSENCE**- there were apologies from Cllr. Baldry, Cllr. Blackler, the Vice Chairman, Mr. Parry-Smith, Mr. Lyndon, Mrs. Cooper and Mr. Carter.

**241/17 INTERESTS TO BE DECLARED** - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

**242/17 DISPENSATION REQUESTS**- none.

**243/17 MINUTES** –the Minutes of the 28 September Parish Council Meeting were approved as a correct record and the Chairman was authorised to sign.

**245/17 VARIATION OF AGENDA**- RESOLVED; matters relating to a proposed Gigaclear Wayleave Agreement and the Clerk's employment should be considered in committee.(*Vote; unanimous.*)

**246/17 DISTRICT COUNCIL**

**246.1 Cllr. Baldry** had sent apologies and a brief report on what had happened at the Overview and Scrutiny Panel that morning when the main item was consideration of the Questionnaire/ consultation on the merger of South Hams District Council with West Devon Borough Council. Cllr. John Green had been at the meeting and he had agreed to amplify if necessary. The purpose of the meeting was to consider the process of the Questionnaire and the results.

The main discussion and vote on the merger would take place at a Special Full Council meeting on 31 October.

There would be a meeting at West Devon at the same time. At the meeting that day, several members had criticised the wording and suggested bias of both the on line Questionnaire and the telephone survey. There was no dispute that both surveys indicated that most of those who had responded were opposed to the merger.

The Chairman of the Panel strongly argued that the purpose of the Panel Meeting was not to take a decision on the merger. He wanted the meeting to restrict itself to the Questionnaire results and methodology.

However Cllr. Baldry had been allowed to propose a motion that: 'The results of the consultation indicate that South Hams residents and the Parish and Town Councils that represent them are opposed to the merger'. His Motion was defeated along Party political lines. The meaningful debate would be on 31 October.

**246.2 Cllr. Blackler**- had sent apologies.

**246.3 Community Reinvestment Project Fund**-the deadline for submissions of applications was January 2018. Several potential projects were considered including;

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-the Neighbourhood Plan had been investigating the expansion of parking provision near Newton Hill. If the Court House residents were prepared to make land available, parking provision could potentially be made for eight cars. This would not affect trees subject to Tree Preservation Orders.  
-Noss Voss and the bottom part of the steps from Passage Road to the Voss. The Clerk was asked to check with SHDC to see if this would come under the CRPF/Section 106 eligibility given that it was a Public Right of Way. Mrs Grant agreed to speak with a resident who may have matching tiles available for the steps.

## **247/17 PLANNING**

**247.1 Neighbourhood Plan-** the draft plan to be submitted under Regulation 15 would be circulated to Parish Council members shortly to enable the Council to consider, and if appropriate agree and adopt the plan, at the Parish Council meeting 26 October. Members were encouraged to read the draft plan prior to the meeting. Ms. Adams advised that the Community Land Trust working group had met- Mrs Denise Marchant, Mrs Chris Philippon, Mr. John Denny and Mr. David James. A public meeting was planned for 2 November at the W.I. Hall from 6-8pm. Mr. David Parkes, who had set up Community Land Trusts across the South Hams, would give a presentation. Mrs Marchant and her husband had undertaken research into the models for community housing. Seed funding was available from SHDC.

### **Planning applications received including;**

**247.1 Steps Cottage, Lower Court Road 2514/17/FUL-** replacement of existing bungalow with two new houses. Cllr. Green took no part in the debate or vote given his personal response to the application made to Development Management. The area in which the property was situated had been designated Ancient Woodland which should be protected. Reference had been made to a Planning Appeal in 2002-the development proposals at that time had been dismissed by the Planning Inspector as the road was considered to be inadequate. DECISION; objection.

1. One of the new dwellings proposed would be built right on the boundary of Ancient Woodland. The Parish Council had taken into account the Standing Advice for Ancient Woodland and Veteran Trees, Forestry Commission England. "Development must be kept as far as possible from ancient woodland, with a buffer area maintained between the ancient woodland and any development boundary. An appropriate buffer area will depend on the local circumstances and the type of development. In a planning case in West Sussex the Secretary of State supported the arguments for a 15 metre buffer around the affected ancient woodland (i), but larger buffers may be required."

In a planning case concerning an ancient woodland in West Sussex, Four Acre Wood, a minimum 15m buffer had been recommended by the Inspector and endorsed by the Secretary of State. Asquith, P. J. (2007) Report on Appeals by Crest Nicholson (South) Limited Relating to Bolnore Village Phases 4 And 5, Haywards Heath, West Sussex. The Planning Inspectorate, Bristol. Appeal refs: APP/D3830/A/05/1195897-98 & APP/D3830/A/06/1198282-83.

2. The proposals lie outside the Village Development Boundary and as proposed in the emerging Newton & Noss Neighbourhood Plan. (*Vote; 5 in favour.*)

**247.2 The Penthouse, 89 Yealm Road 2716/17/HHO-** householder application for extension to existing rear balcony. DECISION; objection

-The extension would overlook the neighbouring property at 87 Yealm Road. The Parish Council would prefer the proposals be amended to take into account the neighbour's suggestions.

-The public footpath must remain open at all times.

-No deliveries between 7am-9am given the amount of ongoing development along Yealm Road. (*Vote; unanimous.*)

**247.3 59 Yealm Road, 3117/17/FUL** -replacement of existing dwelling with single dwelling. DECISION; objection.

(1) Planning history/Related Decisions plus Heritage/Setting of Listed Buildings

This site had been the subject of two previous applications – both dismissed at Appeal. The Dismissed Appeal Ref APP/K1128/W/3158491 dated 22 May 2017 contained reasoning pertinent to objecting to this application and stated: Although not within the Conservation Area Boundary, paragraph 129 of NPPF required consideration of the effects of development on the setting of heritage assets i.e.

(a) Conservation Area

(b) Other heritage assets (further information had been sought from South Hams District Council.)

The Inspector had considered Westerley, 59 Yealm Road to be a late Victorian villa with many of its original features, which due to its scale, siting and position was prominent in views from Noss Mayo. It was a good example of the late Victorian aesthetic and it played a significant role in the locally distinctive character of the village. The Parish Council believed these comments rated the building as a non-designated heritage asset and it was listed as such in the Newton & Noss Neighbourhood Plan which had now been prepared for acceptance to Regulation 15.

In supporting the above comments, objection also on:

(2) Visual impact – detrimental to both the views from Noss Mayo and the street scene of Court Road. Emerging and evidenced Newton & Noss Neighbourhood Plan stated Policy N3P 4 (a) 'respects the architectural context of adjacent buildings'.

The Inspector had also commented (paragraph 13) that the siting of the proposed house would 'reduce the generous spacing that currently exists either side of the house and that is characteristic of the established built form. The same applies to these current plans.

Contrary to DP1 and DP6.

No deliveries between 7am-9am, given the amount of ongoing development along Yealm Road. (*Vote; unanimous.*)

**247.5 Cam cottage, 46 Yealm Road 3314/17/HHO-** householder application for alteration and extension (revisions to consent 2923/16/HHO.) DECISION; No objection. No deliveries between 7am-9am given the amount of ongoing development along Yealm Road. *(Vote; unanimous.)*

**247.8 Planning application pilot scheme-**it was agreed to contact Mr. Patrick Whymer, Development Management - Lead Specialist, to suggest trialing a scheme whereby the Parish Council liaised with the relevant planning officer regarding some of the planning applications to which the Parish Council has objected. It was agreed to nominate Cllr. John Green, the Chairman Mrs Alison Ansell and Mrs Wendy Grant to have meetings with the relevant planning officers to discuss concerns and to ascertain the planning officers' views. The first suggested applications would be -Steps Cottage, Lower Court Road 2514/17/FUL and 59 Yealm Road 3117/17/FUL

It was agreed the Clerk would enquire with the District Council and Planning Aid to see whether there were any plans to hold a training event for Parish Councillors to help in both reading plans and looking at material planning considerations.

#### **248/17 ADMINISTRATION**

**248.1 Events applications-**none.

**248.2 Audit 2017/2018-** the Clerk was seeking quotes for Internal Audit Services. Grant Thornton would no longer be conducting External Audits. A body to conduct External Audit had been appointed by the National Association of Local Councils.

**248.3 Accounts-** half year cashbook and budget review had been circulated to members. The accounts inspection was due to be undertaken. It was agreed the accounts inspection should be conducted by Mr. Parry-Smith solely in view of Mr. Carter's current health.

**248.4 Parish Council meetings 2018-** a draft schedule of dates had been circulated in advance of the meeting. RESOLVED: Parish Council meetings would take place once a month from January 2018-March 2018 on a trial basis. The position would be reviewed at the meeting on 8 March. *(Vote; 5 in favour, 1 against.)*

**248.5 Risk Assessment Review-** the risk assessment review had been circulated before the meeting. Members were requested to review their risk assessments where indicated and confirm with the Clerk.

#### **249/17 CORRESPONDENCE**

**249.1 Dementia Friendly Parishes.** Mrs. Caroline Hirst had sent a report for October.

During the summer they had made a video promoting the positive impact for people with dementia and their families in continuing to be active and involved in their communities. It could be viewed in their Face book page and also on their rebranded website [www.dementiayealm.org](http://www.dementiayealm.org).

Sunday 29<sup>th</sup> October Quiz Evening at The Foxhound Brixton on starting at 8.00pm

Saturday 11<sup>th</sup> November Shopping Trip to Clarks Village Outlet Centre at Street.

The free and friendly Walking Group met in Wembury Wednesday mornings from 10.30 – 11.30 am

The Shared Reading Group met Thursday mornings from 10.30am - 12.00 midday at The Parish Room, Yealmpton behind The Old Bakery.)

Gentle Exercise met Tuesday mornings at Venn Court, Brixton from 11.30am - 12.30pm.

The 'Hobby Tree' a craft and hobbies group met on Monday 2<sup>nd</sup> October and Monday 16<sup>th</sup> October **10.30am - 12.30pm** at Yealmpton Community Centre.

Singing-along with Brixton Village Airs on Friday 20<sup>th</sup> October at Brixton Community Centre, St. Mary's School from 2.00pm - 3.30pm with afternoon tea.

Tea at Kitley House Hotel Friday 27<sup>th</sup> October 3.00pm - 4.30pm.

To know more about Dementia Friendly Parishes around the Yealm or how they could help contact Maxine on 07450206312.

**249.2 Grant requests;** members considered the 2017/2018 budget available for small grants and any previous grants made to the respective organisations

**i) Newton & Noss Village Hall.** RESOLVED; to make a grant of £100 to Newton & Noss Village Hall towards their fund to improve the garden to the rear of the Revelstoke Room. *(Vote; unanimous.)*

**ii) RYDA.** RESOLVED; to make a grant of £35 to the RYDA towards the Public Liability Insurance costs for the Annual Harbour Clean Up. *(Vote; unanimous.)*

**iii) Royal British Legion** RESOLVED; to make a grant of £125 towards the Remembrance Wreath and by way of financial assistance to the Royal British Legion. *(Vote; unanimous.)*

**iv) South Hams CVS (2018/2019.)** South Hams CVS had sought confirmation as to whether the Parish Council would support their work with community groups in the Parish and beyond in 2018/2019 RESOLVED; to make a grant by means of financial assistance to South Hams Community & Voluntary Services in the financial year 2018/2019 in the sum of £50.) *(Vote; unanimous.)*

**v) Newton Ferrers Primary School.** RESOLVED; to make a grant of £75 to Newton Ferrers Primary School PTFA towards the costs of the Fireworks Display 3 November 2017. *(Vote; unanimous.)*

**249.3 Allen's Quay-** letters from Mr. John Allen and Mr. Robin Geldard regarding future ownership of Allens' Quay and the terraced garden were considered. The Council understood that despite best efforts, the owner of the land could not be traced. The land was unregistered. It was agreed that the Parish Council had no objection to Mr. Allen's

proposed course of action- to apply for registration by means of Possessory Title, in the joint names of himself and the R.Y.D.A. The land would pass by survivorship to the R.Y.D.A. upon Mr Allen's passing.

**250/17 COUNTY COUNCIL**

**250.1 County Council report**-Cllr. Hosking reported as follows;

- i) Schools-Fair Funding Review.** As a result of the Review, Devon had received an extra seven million pounds in addition to the half million pounds already allocated. As a result no schools would receive a reduction in funding. For 2018/2019 Newton Ferrers Primary School would receive 0.4% over baseline funding and 0.8% over baseline funding for 2019/2020. Ivybridge Community College would receive 3% for 2018/2019 and 6.2% for 2019/2020.
- ii) Two Crosses, Yealmpton-** various suggestions had been made to improve visibility at the blind junction including mirrors and rumble strips. None of the suggestions had been within Devon County Council's ability to provide. There would be improved signage approaching the junction.
- iii) Highways Conference-** would take place 15 November 2017 giving the opportunity for a two way conversation between Devon County Council and Town/Parish Councils.
- iv) Carshare Devon-** there was currently a promotion of the scheme. If journeys were registered 2 October-26 November 2017 there was an opportunity to qualify for up to £100 of fuel.
- v) Traffic Regulation Order Newton Hill-** details had been sent out. Cllr. Hosking advised Part 1 had been included in the previous Traffic Regulation Order. Part II elements had received some objections. A query had been raised by the Parish Council as to why recommendations regarding Riverside Road East had not appeared to have been included. The forthcoming Traffic Regulation Order should be able to deal with this.
- vi) Broadband-** there was opportunity for previously unserved areas of the Parish to be connected to full fibre network through Gigaclear.
- vii) A379-** he was waiting for a response to his enquiry about resurfacing/surface dressing timings.

**250.2 Highways/Transport**

- i) Hillhead bus turning area-**Mrs Grant had spoken to the owners of "Hillhead" who had no objections to the redundant sign being moved to the post outside their property. Mrs. Grant would make enquiries as to whether the owners would accept a "turning area" sign in addition. The Clerk would obtain a quote to move the sign /for the additional signage.
- ii) Double yellow lines review-**members agreed to pass on suggestions for additional small areas of double yellow lines to the Clerk for putting to the Council at 9 November meeting. Residents should be consulted.
- iii) Newton Hill parking-** the Devon County Council (Various Roads, South Hams) (Waiting Restrictions) Amendment Order 2017 had been circulated to members.It affected Newton Hill.
- iv) 41 Creekside Road-** residents had expressed concerns regarding potential further road closure for building work. The Local Highways Officer Mr. Nick Colton was understood to be liaising with the potential scaffolding company to try and avoid road closure.

**251/17 AUTHORISATION OF PAYMENTS** – Cheque payments were checked by Mr. Hussell authorised and signed in accordance with the schedule prepared by the Clerk, and listed in Minute 252/17.

**252/17 AUTHORISATION OF PAYMENTS**

<b>Balance in Unity Trust Deposit account</b>		<b>£21010.92</b>
<b>Santander Current Account :</b>	Total balance at 30/9/17	<b>£70568.88</b>
<b>The balance includes:</b>		
<b>Monies held on completion of Newton &amp; Noss Play Park Improvement Project</b>		<b>£36.02</b>
<b>Monies held in respect of the Butts Park Play Park Improvement Project</b>		<b>£2143.32</b>
<b>Monies held in respect of the maintenance of the Revington Memorial Seat</b>		<b>£390</b>
<b>Big Greenspace Challenge</b>		<b>£406</b>
<b>Monies granted by Parish Council/ Revelstoke Community Trust/Ryda/Community Rights Programme for Neighbourhood Plan</b>		<b>£497.82</b>
<b>Community Rights Programme Neighbourhood Plan (17/18)</b>		<b>£1876.05</b>
<b>The following cheques were authorised totalling:</b>		<b>£4,373.76</b>

Chq No	PAYEE		AMOUNT
2358	Newton & Noss Village Hall	Hire fee NNPC Meeting 12 October 2017	£30.00
2359	Newton & Noss Village Hall	Hire fee NNPC Meeting 26 October 2017	£30.00
2360	S.McDonough	Net salary-September 2017	£1,243.66
2361	HM Revenue & Customs	Clerk's Tax and National Insurance September	£291.36
2362	AJ Watkinson	Newton Voss and steps cleaning 7 & 19 September	£124.00
2363	Newton Gardening Services	Seat maintenance	£90.00
2364	L.Finch	Noss Voss /Pope's Quay pathways cleaning	£60.00

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2365	S.McDonough	Expenses reimbursement- Noss Play Park signs x2	£32.04
2366	PBS Accounting South Hams Garden & Property	Payroll services Oct-Dec17	£8.70
2367	Services South Hams Garden & Property	Playing field and Sports Pavilion repairs	£75.00
2368	Services	Grounds maintenance September	£2,389.00
			<b>Total</b>
			<b>£4,373.76</b>
*Section 137 Local Government Act 1972 payments:£0 total to date;£295			
DD	EDF	Sports Pavilion	£12.00
DD	B & C E Financial Services Ltd	Employee/employer Pension contribution	£17.06
DD	Hoot Hosting	N3P website hosting	£20.00
SO	Reading Room	Storage facilities	£40.00
DD	BT	Telephone services	£127.25

**253/17. MEETINGS ATTENDED:**

**253.1 Harbour Authority-**Mr. Tubb advised that boat nights had been down this year (3061 2017, 3483 2016) and had been reducing each year for the last six years. There had been the odd bumps and crashes. The Harbour Authority was in contact with Red Earth, the developers of the former River Yealm Hotel, regarding the foreshore. The budget meeting would take place 23 October 2017. The Mooring Holders' election would take place in March 2018. The current representatives were Mr. John Leonard, Mr. Martin Mears and Mr. Andrew Matthews. The Assistant Harbour Master was having a greater presence. Unlicensed dinghies had been towed away.

**253.2 Halls-** Ms. Adams advised that the W.I. Hall committee was currently looking at updating their website.

**253.3 Clerks Meeting-**the Clerk gave a brief outline of the meeting held at Yealmpton 11 October. Ugborough Parish Council had been having difficulties in securing removal of Travellers from a Devon County Council owned verge in the Parish. The Parish Clerks from Ugborough, Modbury, Yealmpton, Aveton Gifford, Wembury and Brixton all advised that their councils were against electronic circulation of planning applications. Most Parish Councils had reached the same stage with their Neighbourhood Plans with the exception of Yealmpton which was not instigating a Neighbourhood Plan.

**254/17 MAINTENANCE**

**254.1 Maintenance working groups-**

**i) Sports Pavilion-** concerns had been raised as to the condition of the grounds following car parking for a football match during a period of wet weather. It was agreed that the Football Club should not use the field for parking during such times. Padlock keys/gate security was also being checked. Newton Ferrers PTFA had asked to use the Sports Field for parking for their Firework Event 3 November. It was agreed that the request should be declined due to potential damage to the surface and pitches.

**ii) The Green/Dillons Green-**the vacant bench site at Dillons Green would be advertised in the Parish Magazine in November. RESOLVED; to accept the quotation from South Hams Garden & Property Services to supply and spread 2 tonnes of top soil to replace plant beds and to reseed, in the sum of £120. (Vote; unanimous.) RESOLVED; to accept the quotation from South Hams Garden & Property Services to level the old tree site at The Green, add some topsoil and reseed, remove two stumps near the war memorial, fill with top soil and reseed in the sum of £60. (Vote; unanimous.)

**iii) Play parks-** RESOLVED; to accept the quotation from South Hams Garden & Property Services to drill a hole in the Butts Park Play Park gate post hanging and fix bolts so the gate cannot be unhung in the sum of £15. (Vote; unanimous.)

**iv) Noss Recreation Areas-** the Community Orchard Day would be taking place on Sunday 15 October. Unfortunately the willow maker had cancelled but a replacement crafts woman had been located to make apple pom poms with the children. .

**254.2 Collaton/Butts Park Path-** a response was awaited from Devon County Council Public Rights of Way department to the suggested meeting with the Collaton Residents' Association.

**254.3 Newton Voss steps-** a request had been received from Mr. Watkinson to use weedkiller on the steps leading from Newton Hill to the foreshore at Newton Voss. This was agreed conditional on the areas being treated being localised and Mr. Watkinson being present until it dried in the interest of public safety.

**254.5 Other areas for consideration-** the Clerk had written to one of the relatives of the late Mr. Ernest West in memory of whom the bench on Newton Hill had been placed. No response had been received. There had been two requests to replace the memorial bench as a result of the advert in the Parish Magazine. It was agreed to offer the bench site to the Ms. Jean Kay, who had applied first in time, for a bench in the memory of Mr. Alec Short. The potential site at Dillons Green could be offered to the second applicant.

In committee

**255/17 CLERK'S EMPLOYMENT**-the Clerk's terms and conditions of employment had been reviewed by the employment working group. It was agreed that the Clerk's contract of employment and job description (as previously updated and amended) should remain unchanged. It was agreed that a performance appraisal was unnecessary.

The Council was advised of the minimum pension contributions which would be increasing from 6 April 2018-5 April 2019 (2% employer minimum contribution, 3% staff contribution) and from 6 April 2019 onwards ( 3% employer minimum contribution, 5 % staff contribution.)

**256/17 GIGACLEAR WAYLEAVE AGREEMENT**- an update from Wolferstans with the response from Gigaclear was awaited.

**257/17 AUDIT 2017/2018**- the Clerk was awaiting a further quote. Agenda November

*Meeting closed at 9.15pm*