

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

Held on 23 February 2017

PRESENT MRS. ANSELL MR. COOPER CLLR. GREEN MR. HUSSELL MR. CARTER
MS. ADAMS MR. LYNDON MR. PARRY-SMITH MRS. GRANT MR. TUBB

ALSO PRESENT; 2 parishioners, Mrs. McDonough (Clerk).

OPEN FORUM

The Tea House, Beacon Hill-the applicant referred to the planning application lodged in 2011 which had been supported by the Parish Council. The applicant was unhappy with the design and had looked at further designs which would retain the structure, assist with the long term sustainability of the building and have little impact on the AONB and coastal footpath. From a distance, the above ground structure would appear to remain. The proposed development would sit within and below the existing structure. The skyline would remain the same. A comprehensive set of reports had been prepared. The Development Officer had commented on the innovative, minimal impact design in a sensitive area. The proposals would have no effect on the coast path, its biodiversity or bat roosting. The importance of light pollution had been addressed in the design. It was not a Listed Building, but for the purposes of the report the applicant was treating it as an undesignated heritage asset. Parking would be situated at Lambside Farm with pedestrian access only to the building.

Cllr. Green asked about fencing and the status of the path from the road to The Tea House. The applicant confirmed the Public Right of Way would remain. It was not his intention to fence off the Tea House but it may be necessary to protect from livestock. The Chairman asked about protecting the privacy of the inhabitants from members of the public wandering around the building. The public had had access to wander around the building for many years. The applicant referred to livestock fencing, but had not considered the issue in great detail nor had he taken professional legal advice on long standing public access. The Chairman referred to a wave of objection to the current application. The applicant advised that he would not have a problem leaving the land unfenced in principle as long as the inhabitants did not have a negative experience and cattle did not become an issue. He had been to a similar National Trust property in Cornwall where the public could walk right up to the building. Reference was made to Warren Cottage further along the coastal footpath.

A parishioner asked about sewage discharge and was advised that there would be a soakaway. Mains water would come from Caulston Farm. Guests would also be advised about Partridge shoots. The parishioner advised that he was against the development proposal. It was in an isolated position, was a unique structure and could set the ball rolling for further development along the coast.

42/17 APOLOGIES FOR ABSENCE- there were apologies from Cllr. Blackler, Cllr. Baldry, and Ms. Longworth.

43/17 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

44/17 DISPENSATION REQUESTS- none.

45/17/ VARIATION OF AGENDA – RESOLVED: matters relating to pre planning /planning enforcement matters and consideration of any quotations for Butts Park Play Park improvement project should be considered in committee. (Vote; Unanimous.)

46/17 MINUTES- the Minutes of the 26 January Parish Council Meeting were confirmed and signed as a correct record.

47/17. PLANNING

47.1 Neighbourhood Plan- the Chairman advised that the draft plan and policies were being firmed up. The final draft plan, policies and evidence would be displayed on 1 April in the WI Hall and on 2 April in Newton & Noss Village Hall. The public was encouraged to come to have their say. Concern was raised as to whether there would be sufficient funding at that time given it would be the very start of a new funding year. It was not possible to back date grant applications. Draft figures for funding purposes were awaited from the Steering Group. A contingency may need to be looked at funded by the Parish Council. The Clerk had circulated the up to date funding spreadsheet prior to the meeting and had copied in the N3P Steering Group leader. The Clerk also enquired about costs charged by SHDC for printing one of the N3P leaflets- no invoice had been received as yet for processing. The Clerk would contact the N3P treasurer.

Ms. Adams arrived at 7.20pm

Planning decisions

47.2 Williams Quay Lower Court Road 3904/16/HHO-householder application for extension to garage and provision of new turning space. SHDC; Granted.

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47.3 54 Yealm Road 3780/16/HHO-householder application for single story extension at rear and internal alterations. SHDC; Granted.

47.4 Land to the East of 85 Court Road 3874/16/FUL-construction of a new 3-bedroom dwelling and separate garage. SHDC; Refused.

47.5 Development Site At SX 552 481, Barnicott, Bridgend Hill, APP/K1128/W/16/3155335

Proposal: Provision of new dwelling Appeal start date: 22 August 2016. Planning Inspectorate; Appeal dismissed.

Planning applications received including;

47.6 Newton Ferrers Water Tower 0114/17/FUL- the installation of 3no. pole mounted antennas on the existing water tower, 2no. ground based equipment cabinets, along with ancillary works. Cllr. Green asked if the applicants had contacted the immediate neighbours to the site as requested by the Parish Council. The Chairman advised that it appeared from the application that the applicants had stated that they had made contact with the nearby residents. There were no responses on the SHDC website. Mr. Lyndon had heard of no objections from any residents at Butts Park. DECISION; No objection. (*Vote; 9 in favour, 1 abstention.*)

47.7 The Tea House, Beacon Hill 4046/16/FUL - the safeguarding and reuse of the Tea House Beacon Hill as one bedroom holiday accommodation. The Chairman and Cllr. Green had visited the site. There had been some objections. The Chairman was aware of a petition being circulated. Those circulating the petition did not have any proposals to refurbish or preserve the building, it was thought. There were concerns the building could fall into further disrepair and accessibility for the public. The building was of village interest and part of its heritage.

Mrs Grant asked whether, had the ruin not been there, whether permission for a building would be granted. It was thought not. She therefore queried how development could therefore go ahead. It was not thought to have ever been a "dwelling". Historical reference had been made to it being used a "pleasure house." The Vice Chairman commented on the innovative design but that it could set a precedent. Mr. Parry Smith referred to the fact that the building could be held to be dangerous to the public. A suggestion was made that it could therefore have to be fenced off in any event. Cllr. Green suggested that it was a beautiful design and an improvement on the last application. However the site was in a wild area, with those walking the path coming in to contact with no other buildings. It would set a precedent and could affect walking there detrimentally. The applicant advised that the roof would be below the silhouette of the building and the four arches would be glazed with low reflection Pilkington glass to reduce impact. It was the wish to try and preserve the "ruin" effect. The galley and bedroom would be downstairs and the living space at ground level. A member suggested using one way glazing to preserve the privacy for the inhabitants and to reflect the outdoors. DECISION; No objection subject to the use of one way glazing to protect the privacy of the inhabitants. (*Vote; 8 in favour, 2 objections.*)

47.8 1 Richardson Drive Yealmpton 0467/17/HHO-householder application for the erection of single storey rear extension. DECISION; No objection. (*Vote; unanimous.*)

47.9 Land at OS 254250E 48000N Yealm Road 0403/17/HHO-householder application for proposed staircase. DECISION; No objection subject to the provision of a satisfactory Construction Environmental Management Plan. (*Vote; 9 in favour, 1 abstention.*)

47.10 Development Management-

i)Committee meeting- the Chairman gave an update of the of site visits/committee meeting in respect of the planning applications for "Whitegates", Parsonage Road, and "The Green House", Bridgend. The Committee refused the application in respect of "Whitegates" on the basis of Cllr. Baldry's concerns that the footprint for the new plans was the same as the footprint for the previous application in respect of which the Parish Council had objected. The Green House application was refused. It was thought that the planning applications in respect of "Briar Hill" and Pillory Hill/Junket Corner would be going to the Development Management Committee at their meeting on 15 March with any site visits on 13 March. It was agreed the Chairman would attend and speak on behalf of the Parish Council.

ii) Electronic consultation-it was agreed the Parish Council would not take part in the SHDC electronic consultation pilot scheme in light of apparent current problems with the SHDC planning website.

iii) Planning enforcement-with respect to the monthly planning enforcement list sent out by SHDC, it was noted that SHDC was reiterating that the list was confidential and that access should be restricted to the Parish Clerk and members of the Parish Council's planning committee, or if the Parish Council had no specific planning committee, access should be limited to those members of the Parish Council that were involved with planning applications. The Parish Council Code of Conduct would apply to any member who mistreated or disseminated the information within. RESOLVED: to record that Newton & Noss Parish Council had no planning committee. All members were involved in planning consultations and so the planning enforcement list would be circulated to all members on the basis that it was kept confidential. (*Vote; Unanimous.*)

47.11 Land at The Fairway 1372/16/FUL- the response from Chairman of the SHDC Development Management Committee (DMC) to the letter from the Parish Council expressing concern regarding the decision of the DMC was considered. Cllr. Robert Steer advised that the DMC had considered the impact of the development would be acceptable within the context of the National Planning Policy Framework and the current local policy. The AONB and Heritage Coast had special protection and greater weight accorded to that protection as set out within the National Planning Policy Framework which had to be balanced against all material matters in coming to a judgment. The DMC was comfortable that the right decision had been made although he recognised that the Parish Council would not agree. The level of local concern had been noted by the DMC Members in the course of their determination. As the

Joint Local Plan and any Neighbourhood Plans for the area moved forward to a position where they were given substantial weight, they would become material considerations in the determination of future planning applications. Members of the Parish Council hoped the N3P would give more effect to local views in the future.

47.12 AONB- the meeting organised by the Campaign for Protection of Rural England would be taking place the following evening at which Cllr. Green would be speaking.

48/17 DISTRICT COUNCIL

Councillor reports-

Cllr Blackler- had sent a written report with apologies that he was currently unable to drive at night;

1. Brexit was still holding up Devolution process.
2. Local Authority Controlled Company was at present on hold waiting for more details.
3. The dumped cars at Lee Mill had been removed.
4. The Caravans/travellers at the Power Station were being monitored. Portaloos and waste bins had been provided as safeguard until the travellers were moved on.
5. The Joint Local Plan was progressing and would be considered at the Special Council on 2nd March-after which it would go out to Public Consultation.
6. There would be a £5 increase in Council Tax for 2017/18.
7. Council Tax Support Grant paid to Towns and Villages would be reduced by 9.8%.
8. Population of SHDC and West Devon was estimated at 137,000.

Cllr Baldry had sent apologies and a written report;

1. The Joint Local Plan had been published and it could be seen at <http://web.plymouth.gov.uk/plymouthplan> It would be discussed by the 3 local authorities: West Devon, Plymouth and South Hams. The SHDC meeting would be on 2 March. If approved it would go out for 6 weeks public consultation before going to a Government Inspector to determine whether it was 'sound'. Cllr. Baldry thought it was good news for Newton and Noss. It would end the claim that houses could be built anywhere because of the lack of a 5 Year land supply. The plan talked about 10 additional houses each for Newton Ferrers and Noss Mayo. For Newton this number had already been achieved. He would be seeking more information on what was planned to improve the A379 'Eastern corridor' into Plymouth.
2. The Parish Council had an Agenda item reporting on results of planning applications. Cllr. Ansell would report on last week's DMC. Both Newton & Noss applications had been refused: "Whitegates" and "Green House". On one he had been able to support the Parish Council, but not on "Whitegates".

Cllr. Green commented that the draft Joint Local Plan provided for 10 houses in Newton Ferrers and 10 houses in Noss Mayo. The 10 houses in Noss Mayo may not necessarily be specific to Noss Mayo itself but could include outlying area e.g. Membland.

49/17 ADMINISTRATION

Events applications- none.

50/17 CORRESPONDENCE

BROADBAND

Further to January's update, Mr. Jeremy Brown had been in contact with Mr. Declan Turner of Connecting Devon and Somerset (CDS), and Mr. Russell Baker of South West Mobile Broadband (Other 4G radio providers had been listed in the January update.)

Mr. Brown had given the following update;

Mr. Turner had updated the position with regard to Membland, whilst Mr. Baker had conducted a radio survey of regions of the Parish which might be well served by an interim 4G radio broadband service.

Membland

Many residents from Membland had applied for vouchers and were turned down because they were thought to have access to fibre or had current speeds in excess of 2Mbps download). Mr. Brown had queried why it was assumed they had access to fibre when it did not exist. Mr. Turner had advised that he had taken a look at Membland applications on the voucher scheme and most had been declined for having speeds above 2Mbps on copper as well as fibre (so even discounting the fibre which he appreciated was not benefitting the residents the applications would not be successful). To get over this he needed screenshots from the residents to show their line speeds were below the 2Mbps threshold of the scheme. He had 12 applications from the Membland area postcodes: PL81HP, PL81HT, PL81HZ. Of these only 2 had been approved, the rest had been declined for being above the threshold. If residents could email broadbandvoucher-mailbox@devon.gov.uk a screenshot showing their speeds were less than 2Mbps then he could approve the vouchers.

Mr. Turner advised that Membland seemed to be included in phase two, though with Gigaclear to finalise timescales, it could be for a few years. If residents were able to get vouchers he suggested making use of them before March to get an interim solution and await the later connection from Gigaclear.

Fast Fibre Optics to the Premises: 50Mbps –100Mbps (Gigaclear service)

CDS had advised that many parts of Newton and Noss would be in receipt of phase two fibre optic coverage from Gigaclear by the end of 2017. It could be 2019. Mr. Turner had advised that CDS were just finalising the mapping but had yet to get the delivery timescales from Gigaclear as they were working through key wayleaves and major trunk

works which would dictate which areas would get connected first. The contract must be completed by 2019. This was not necessarily when Newton and Noss would be connected. Gigaclear were working through their timescales of delivery and it may be that residents get connected sooner, but until Gigaclear confirmed dates (in March or April) 2019 had been given as effectively the upper limit of when connections could be made.

The Gigaclear website (www.gigaclear.com) gave preliminary coverage plans by putting in the postcode.

Mr. Brown suggested residents who wished to receive a fast fibre optic service from Gigaclear, as part of phase two, may wish to register with Gigaclear as soon as possible. <https://gigaclear.secure.force.com/community/SurveyInterest>.

Interim 4G Radio Services: Possibly long term for coastal properties

Mr. Brown had accompanied Mr. Russell Baker of South West Mobile Broadband* around various locations currently unserved by BT's Superfast service. The purpose was to establish whether a dedicated tall antenna and special modem (rather than an ordinary mobile phone) could achieve faster speeds than existing BT ADSL services (those who had internet connections which were not from BT Superfast).

A 4G interim radio service through specialist equipment, prior to the arrival of Gigaclear, was the means by which most CDS interim voucher recipients could gain access to services up to 40Mbps. In addition, those residents who needed faster speeds now, but did not have vouchers, could pay for the equipment and achieve an interim or long term solution. They would then need to sign up to an existing mobile phone provider for a data only package, which could be on a monthly pay as you go basis or a longer term contract.

The installed equipment had to be in approximate line of sight of existing 4G mobile masts. In practice, this meant they must be within about 15 miles of an existing 4G service. Unfortunately, the Noss Mayo TV mast had only an Orange (EE) 2G on it at present. As a rule of thumb, those who lived about 170 feet above sea level should be capable of capturing a 4G service from outside the Parish. In all cases, a survey from a provider was essential prior to committing to any expenditure.

Following the survey Mr. Baker reported the results of the 4G scan for the Newton Noss.

Ashcombe Hill achieved a signal strength on EE of 74% and a speed of 42MB/s download and 20MB/s upload.

Collaton was even better and could see services from many providers. Southern coastal properties (including Coastguard Cottages), and properties near to St. Peter's Church (and above), were well served – not necessarily by EE.

Unfortunately, premises lower down on Newton Creek, Bridgend and in some parts of Membland could not access 4G signals of sufficient quality. However, those Membland properties near to the "main road" could get adequate reception. Homes in Perches Close, deeper in the valley, without a very tall antenna would be without coverage.

Mr. Baker strongly recommended that all people in the parishes of Newton and Noss and Yealmpton who had vouchers for phase 1, and who were in good areas, needed to get installed by 31st March. His firm could do these installations. Anyone who was getting less than 2Mbps download speeds who had a voucher, but were in the fibre FTTC network could still qualify for phase one, if they could prove via email (a screenshot of a speed test – this could be done by hitting the Prt Sc button and pasting the file into a word document) and attaching the file and sending it to him.

Lastly applications for vouchers would be taken on the recommencement of the scheme in the next few months and properties outside of Gigaclear phase two connection would be eligible for them. Residents who did not have a voucher and would like one, could apply for one and Action West could install these.

If not in the Gigaclear plan, 4G Broadband could be the only option for residents at present to get fast broadband, if there was a good line of sight. If residents were in the Gigaclear plan and wanted to go ahead with FTTP they could still get a voucher if the date of install was unclear, or still some time away.

Many people were still using his firm where improvements would be made on phase 2, but who did not know when the improvements would be made. Phase two would run until December 2019

Residents at Alston were working with Bush to set up a small scheme. It appeared as though there may be parallel projects on surrounding farms – as far as Holbeton and beyond. The resident at Alston was of the view fibre was unlikely to reach them in the foreseeable future. If their radio solution worked (linked from Newton Ferrers) it might offer a temporary means forward for some lower parts of Newton Creek and Bridgend – particularly if several residents got together. Fibre should be passing these properties in the medium term and, unless the need was urgent, the equipment cost may not be justified without vouchers.

South West Broadband was about to put in an installation at Ashcombe.

Mr. Jeremy Brown was thanked for his considerable help in liaising with CDS and Action West on behalf of the Parish Council.

51/17 COUNTY COUNCIL

51.1 Highways/Transport-

i) Snow Warden- the gritter and sand bags were now in the barns at Orchard Cottage, Netton.

ii) Middlecombe- the Highways Officer had advised that he was seeking funding in the new financial year to repair the potholes.

iii) Wright's Lane- an application for a Section 171 Agreement had been made to occupy and excavate on the highway for wall repairs.

iii) Highways Measuring Engagement Survey- it was agreed the Clerk would complete.

51.2 Promoting Independence- Cllr. Green would be attending one of the discussion events

52/17 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 53/17. The Council was referred to the hire fees for the N3P meetings and the first payment made to the N3P Planning Consultant. A spreadsheet showing available funding had been circulated. Replacement parts for the display panels had had to be ordered. Spares would be stored by the Clerk.

53/17 AUTHORISATION OF PAYMENTS

The following cheques were authorised totalling: **£1851.02**

Chq No	PAYEE		AMOUNT
2242	Vantech Media	DIY hosting package, annual fee newtonandnoss-pc.gov.uk	£95.00
2243	South West Water	Public tap; Pillory Hill 8/11/16-13/2/17	£17.79
2244	South West Water	Sports Pavilion 19/11/16-13/2/17	£14.28
2245	F.Holt	Expense reimbursement; N3P Hall Hire fee 9/10/16	£20.00
2246	Newton & Noss Village Hall	Hall hire fees; N3P meetings 7 and 17 January 2017	£44.00
2247	The Tilly Institute	Hall hire fees; N3P meeting 18 October 2016	£10.00
2248	Lee Bray	Planning consultancy fee N3P January 2017	£1,604.35
2249	Displaykit	Display panels replacement parts	£45.60
Total			£1,851.02

*Section 137 Local Government Act 1972 payments:£0 total to date;£470

DD B.T. Broadband services 1 Feb-30 April 17 **£84.84**

54/17. MAINTENANCE

54.1 Maintenance working groups-

i) Sports Pavilion – a quote had been sought to repair missing roof tiles which had been reported by Mr. Hussell. The risk assessment in respect of the rugby posts was outstanding. It was thought a request may be received to replace the roof on the mower shed.

ii) The Green/Dillons Green- Ms. Adams advised that it appeared as though it would not be possible to make anything from the residual wood from the felled Beech Tree. Wood had been left on the Green by the tree surgeons but had “disappeared” before Mr. Swift could collect it. The Vice Chairman advised he was waiting to hear back about a potential memorial bench.

iii) Play parks-

Butts Park Play Park

Flete Gardens planned to lay the foundations for the table tennis table on 1 March weather permitting. There would be no need to close the play park. The area would be fenced off and Mrs. Wheatley would be providing notices to attach to it. Mr. Lyndon and Mr. Dooley had been asked to monitor the site while the Tarmac dries off to avoid footprints. The Parish Council had been awarded £1,000 under the Tesco Bags of Help scheme. The result of the CRPF application was awaited. Until this had been determined in mid-March, it would not be possible to go ahead with new swings, basketball hoop, gates and pathway renovation.

A ROSPA inspection had been undertaken. Some issues had been raised with Sovereign relating to levelling the area by the basket swing Wetpour and surfacing for the Rota Net. EN numbers also needed to be attached to the equipment. The inspection report and maintenance manual had been passed to the SHDC Localities Officer for their use during inspections.

iv) Noss Recreation Areas –

Tennis Courts- Mr. Parry-Smith had attended the Newton & Noss Tennis Club AGM when their new constitution was discussed. Reference had been made in the constitution to fees for non- members use. The Tennis Club had agreed that charges would not be increased for non- members use of the courts without prior consultation with the Parish Council but would not amend the constitution to this effect. During 2016 £917 had been collected from the fees honesty box which would be ring fenced by the Tennis Club for court repairs. The current fees were £2.50 per hour per adult and £1 per hour per child. Tennis Club members did not pay a hire fee. The Clerk had been passed public liability insurance details and confirmation of 2016 fees. Fees from June 2015 and risk assessments were awaited.

Newton & Noss Community Orchard- the Newton & Noss Community Orchard Group had met to discuss the Core Group spend and Site Improvement Grant from Growing Orchard Communities project (GOC)
Items originally planned not yet actioned:

- **Finger post in car park** – it had been agreed to leave
- **Improved access by tennis courts** – it had been agreed to leave

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- **Improved access at top of field** – it had been initially agreed to pursue as this was thought to be the most important from a safety aspect. However after subsequent discussions it became apparent that it would not be possible to agree this in time for the mid-March funding deadline. This would have to be left and the funds lost/reallocated.
- **Celebration for seat installation in May** - the Growing Orchard Communities team were keen to help organise this, so funds were likely to be available. Peter Lanyon had confirmed availability 13/14 or 27/28 May. Members of the Parish Council were invited to Mr Lanyon’s workshop at Lambside on 4 March to view the project progress.
- **Information sign** – Mr. Buckland had a quote from Ms. Becky Randle to design.
- **Wooden surrounds to trees to hold in mulch** – Growing Orchards Community had suggested that this may not be possible as this could be a potential trip hazard. The group was seeking advice.
- **2017 Apple Day**- Sunday 15 October.
Members suggested that more weeding of the area would be helpful. The proposed dates for the bench installation and Apple Day were agreed.

54.2 Other areas for consideration-

- i) **South West Water** were intending to carry out dye testing in the sewers on 1 March, They would be using drones to photograph the area and some discolouration of the river water could occur.
- ii) **SHDC Asset Transfer**- Curtis Whiteford Crocker solicitors had not completed the work for the Parish Council and had failed to respond to emails from the Clerk. The last communication from the fee earner had been in June. The fee earner was still with the practice. A third letter of complaint had been sent by the Chairman requesting a change of fee earner.

In committee

55/17 PLANNING ENFORCEMENT/PRE PLANNING APPLICATIONS-were considered. It was agreed to support concerns raised by a parishioner in respect of work on a property which did not appear to accord with the planning permission given. A referral to SHDC planning enforcement team would be made.

Meeting closed at 8.20pm