

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

Held on 26 October 2017

**PRESENT MRS. ANSELL MR. COOPER CLLR. GREEN MR. HUSSELL MR. TUBB
MR. LYNDON MR. PARRY-SMITH**

ALSO PRESENT; 4 members of the public, Cllr. Baldry, Mrs. McDonough (Clerk).

OPEN FORUM

1 Old Coastguard Cottages, Wembury –a neighbouring property owner raised her concerns regarding the planning application submitted. Numbers 1, 2 and 3 were Grade II Listed and Heritage Assets. National Trust Woodland surrounded the properties. The area had remained unchanged for many years. Reference was made to the National Planning Policy Framework which contained a presumption in favour of sustainable development. Clause 110 however gave great weight to preserving AONB areas which should be afforded the highest status of protection. Clauses 131 and 132 made reference to the designation of Heritage Assets, giving great weight to the conservation of such assets, the significance of which could be lost through development. The development proposal, submitted by Industrial Marine Engineers, would cause substantial harm and abutted a Listed boathouse. It would affect the visual impact on the harbour and the AONB. She urged the Parish Council to turn down the application. Questions were raised about access. The meeting was advised that the decking would be very high and would require access from her jetty.

Development Site at SX552 48 Barnicott Bridgend Hill-Mr. Coughlan, architect, attended on behalf of Mr. Mark Evans. The proposal was for a single storey building. Mr. Coughlan was advised that Mr. Evans had confirmed that it was a 1.5 storey development. Mr. Coughlan suggested that it did descend the site. Mr. Coughlan was asked if the development was outside the Village Development Boundary. He advised the proposal was within the residential domestic curtilage of the site and was therefore within the development boundary.

258/17 APOLOGIES FOR ABSENCE- there were apologies from Mrs Grant, Ms. Adams and Mr. Carter.

259/17 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting. Cllr. Green advised that he would leave the room whilst the planning proposal for Barnicott was discussed.

260/17 DISPENSATION REQUESTS- none.

261/17 VARIATION OF AGENDA- RESOLVED; matters relating to a proposed Gigaclear Wayleave Agreement and pre planning application/planning enforcement should be considered in committee. (*Vote; unanimous.*)

262/17 DISTRICT COUNCIL

262.1 Cllr. Baldry-

i) 1 Old Coastguard Cottages-whilst not within his ward, Cllr. Baldry had asked to be kept informed as the Parish Council had asked to be consulted.

ii) Merger- the District Council had been occupied with the proposed merger. The vote as to whether to put the proposal forward to the Secretary of State would take place 31 October 4.30pm. West Devon Borough Council would vote at the same time. 86% of the public who had responded to the consultation had been against the merger. Cllr. Baldry was opposed to the merger. If the proposal was voted through it still had to be approved by Parliament. He did not consider this would be an easy ride and pressure would be maintained on Parliament to oppose.

iii) Development Management Committee- Cllr. Baldry would be attending the site visits in respect of Brook Bakery, Riverside Road West and The Tea House, Holbeton the following Monday with the Committee meeting taking place the following Wednesday. It was agreed the Chairman would attend both site visits and would be representing the Parish Council's views at the Development Management Committee meeting in respect of "Brook Bakery."

iv) Community Reinvestment Project Fund- closing date for applications to the fund was 8 January 2018.

v) TAP Fund- applications closed 15 December 2017.

262.2 Town and Parish Council Event- no members were available to attend Monday, 27 November 2017

263/17 PLANNING

263.1 Neighbourhood Plan-the draft plan had been circulated to the Parish Council and was ready to be submitted to SHDC under Regulation 15. RESOLVED; to agree and adopt the draft Newton & Noss Neighbourhood Plan ready for Regulation 15 submission. (*Vote; 6 in favour, 1 abstention.*) The volunteers involved in the project had undertaken a tremendous amount of work for which the Parish Council was grateful.

Ms. Adams advised that the Community Land Trust meeting would be taking place 2 November 6-8pm. Support from Parish Council members would be appreciated. Cllr. Green advised SHDC had 1.8 million pounds available to look into Community Land Trusts- mainly as a result of the large amount of second homes in Salcombe and Newton & Noss. Section 106 monies could also be allocated to affordable housing. Ms. Adams had been to parishes where such schemes had been up and running.

1/26October2017.....Chairman

263.2 Planning decisions

Great Prideaux Farm 3174/17/AGR -application for prior notification of proposed agricultural shed. SHDC; Prior Approval given.

Boscavene, Gnaton Access Road 1305/17/CLE-Lawful Development Certificate for existing use of residential dwelling in non-compliance with agricultural tie. SHDC; Granted.

42 Creekside Road 2635/17/HHO-householder application for refurbishment and new porch access at rear of property. SHDC; Granted.

98 Yealm Road 2836/17/HHO-householder application to extend on the north elevation at first floor for new main entrance, roof dormers on the north and south elevation, demolish the existing south elevation conservatory and make general alterations providing 3 sets of new bi-fold doors on the ground floor. SHDC; Granted.

8 Perches Close 2477/17/FUL-build a new dwelling in the garden of Tanglewood. SHDC; Refused.

Caulston Farm 3094/17/FUL-provision of agricultural livestock building (building 3.)SHDC: Granted.

Caulston Farm 3093/17/FUL-provision of agricultural livestock building (building 2.)SHDC: Granted.

Caulston Farm 3048/17/FUL-provision of agricultural livestock building (building 1.)SHDC: Granted.

263.3 Planning applications withdrawn;

Cross Park, Stoke Road 0349/17/VAR-application for variation of condition of planning application 8303/86/51 to remove agricultural tie.

Land at OS 254250E 48000N Yealm Road, 0403/17/HHO-householder application for proposed staircase.

14 The Fairway 1393/17/HHO-householder application to erect PVCU conservatory to the rear of the property.

Durlston, Stoke Road 1399/17/HHO-householder application for addition of second floor and room on the roof, creation of new balcony and terrace to front of property, creation of new parking area and steps access to property.

Development Site at SX552 48 Barnicott Bridgend Hill 2273/16/FUL-provision of new dwelling (resubmission of 37/1831/15/F.)

Curlews (Formerly Durlston) Stoke Road 2336/17/HHO-householder application for extension of existing dwelling by addition of second floor, creation of new balcony and terrace to front of property, creation of new parking area and steps access to property

Stable Barn, Brownstone near Yealmpton 3038/16/HHO- householder application for new garage block with bedroom over and link to existing accommodation at first floor of barn.

Planning applications received including;

263.4 Anchor Cottage, Riverside Road East 3208/17/HHO-householder application for replacement garden room. DECISION: No objection provided the South Hams District Council Conservation Officer had no concerns regarding the proposed tree removal. (*Vote; Unanimous.*)

263.5 Land at SX 552 48, 1 Barnicott Bridgend Hill 3125/17/FUL-construction of new dwelling with associated vehicular access and landscaping. Cllr. Green left the meeting.

The Chairman and Mrs Grant had visited the site with the planning agent Mr. Mark Evans on Friday, 20 October.

The new access would be opposite the garden gate, at the wider part at the top of Bridgend Hill. It was then proposed that the access turned sharp right to run along inside the hedge bank. The Chairman and Mrs Grant had both been concerned that the height difference between the public road and the right turn would:

(a) Be unfeasible and unsafe.

(b) Compromise the hedge and bank with necessary excavations. In creating the access Mr. Evans had said that one tree would definitely be lost and maybe others.

(c) In creating the driveway Mr. Evans had agreed that the hedge bank would need supporting from the inside (this would be difficult to achieve without root damage.)

The Chairman had considered Natural England Hedgerow Guidance for hedge protection.

It was suggested this application should involve an onsite visit from Devon County Council Highways to assess the safety. It was a faster section of the route used by most heavy traffic accessing Membland and Noss. It was suggested it did not enhance highway safety as stated in the Planning Statement (f) as there was already room for passing traffic and a pavement for pedestrians. The Chairman had tried to contact the Planning Officer on 24 October to ask whether she had made a site visit and could help with clarification but she had been working out of office that week. The Chairman was advised that the determination date was 28 November and the planning officer was likely to be happy to receive the Parish Council's decision at the next Parish Council meeting if the Council would like to clarify some points.

Other concerns included; outside the Village Development Boundary, did not meet a requirement identified in the Housing Needs Survey, reduced the amenity value of Barnicott (Grade II listed) and apart from the tennis court there was no amenity area with the domestic curtilage of the proposed property.

The planning permission given for the Tennis Court made provision for tree planting 37/1999/12/F Decision Notice 29.1.13. Those conditions did not appear to have been complied with (due date by the end of the first planting season on completion of the development). The decision stated that this was in the interests of the visual amenities. This did not give confidence to the suggestion of any future planting conditions (6.15 in the Planning Statement).

Mr. Tubb made reference was made to the Planning Inspector's last decision and suggested it was unlikely the Inspector had walked down Bridgend Hill to appreciate how dangerous it was for pedestrians. Most of the hedge was a rock wall.

The Vice Chairman felt the hedge should be protected, the potential for the development to set a precedent for further development down the hill, and that any building was supposed to enhance the AONB. Mr. Parry-Smith raised concerns about the quality of the Ecological Survey.

DECISION: To put back the decision in respect of the consultation on the development for land at Barnicott 3125/17/FUL to the Parish Council meeting 23 November 2017 to enable some issues to be clarified. (Vote; 4 in favour, 1 against, 1 abstention.) The clerk would notify Development Management.

Cllr. Green returned to the meeting.

263.6 1 Old Coastguard Cottages, Wembury 3078/17/FUL-construction of a new quay to improve access.

DECISION; Objection

1. Visual impact.

2. Impact on a Listed Building.

3. The Parish Council requested the South Hams District Council Conservation Officer viewed the site from the Yealm Steps, Yealm Road, Newton Ferrers. (Vote; unanimous.)

263.7 The Linhay, Collaton Farm 3259/17/FUL-change of use of from business (holiday letting) to residential use.

DECISION: No objection. (Vote; unanimous.)

263.8 Maxdene, Newton Hill 3297/17/HHO-householder application for extension and alterations. Consideration was given to the potential for the development to block light and views for a neighbouring property uphill. There were no objections registered on the SHDC website. DECISION; No objection. (Vote; unanimous.)

263.9 Consultation- Planning for the Right Homes in the Right Places. Cllr. Green advised that the District Council Network had made a detailed response to the Department for Communities and Local Government. The Parish Council agreed it was not necessary to give a response.

The Vice Chairman left the meeting.

Planning training- the Clerk was making enquiries into available options.

264/17 ADMINISTRATION

264.1 Events applications-none.

264.2 Remembrance Sunday- the wreath had been organised and would be laid by the Chairman.

265/17 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 266/17. A letter of thanks was read out from Newton & Noss Village Hall Committee for the grant towards the garden refurbishment.

266/17 AUTHORISATION OF PAYMENTS

The following cheques were authorised totalling:

£805.38

Chq No	PAYEE		AMOUNT
2369	Ricoh UK Ltd Newton & Noss Village	Balance photocopier rental/copy charges 1/7/17-30/9/17	£18.18
2370	Hall	Grant-garden refurbishment	£100.00
2371	Royal British Legion	Donation and Remembrance Day wreath*	£125.00
2372	Newton Ferrers PTFA	Grant- financial assistance for Fireworks Event 2017*	£75.00
2373	RYDA	Grant- contribution to Harbour Clean up insurance costs*	£35.00
2374	J.Green	Expenses reimbursement- Dependants' allowance for Parish Council meeting 28/9/17	£11.25
2375	RYHA	Public WC cleaning contribution June-December 2017	£400.00
2376	S.McDonough	Expenses reimbursement- spare key sets for Butts Park Recreation Area	£28.95
2377	S.McDonough	Expenses reimbursement-HM Land Registry search fees for N3P	£12.00
Total			£805.38

*Section 137 Local Government Act 1972 payments:£235 total to date;£530

267/17 MAINTENANCE

267.1 Maintenance working groups-

i) **Sports Pavilion-**Cllr. Green advised that a new Dog Control Order in respect of the playing field would come into effect as from 1 January 2018, for "Dogs on Leads" only. It was agreed to seek a quote for two signs for the field gate entrance and the gate entrance from B3186. Mr. Hussell would investigate a report of a loose slate on the Pavilion roof. The padlock was back on the field gate with spare keys cut for the Football/Cricket Clubs. A gentleman had telephoned regarding concern that grass cuttings had been left on the playing field following recent mowing. Members noted that the grass cuttings being left, rather than collected, had been factored into costings for the grounds maintenance contract.

3/26October2017.....Chairman

ii) **The Green/Dillons Green-** no reports

iii) **Play parks-**

Butts Park Play Park- South Hams Garden & Property Services had asked whether a sign could be placed on the Butts Park Play Park field gate requesting the entrance be kept clear to enable access. Mr. Lyndon suggested this would result in the loss of valued parking spaces. It was agreed to investigate what days maintenance took place with a view to the sign being day specific.

Noss Mayo Play Park -Mr. Parry-Smith advised that Flete gardens believed they had improved the drainage by the slide and had dug away the boulders. Local reports suggested the slide area was now drier. He would check whether the additional plank had been added to the pirate ship as requested. The Litter and no kite flying signs were with South Hams Garden & Property Services for putting up.

iv) Noss Recreation Areas- Mr. Parry-Smith would pass the registration number of a Silver Peugeot that had been parked in the car park for some time to the Clerk for checking with the police as whether it was taxed/abandoned.

267.2 The water tower- it was agreed Mr. Parry-Smith should be nominated to be involved with the decision for the design for the paintwork. The RYDA would be advised.

267.3 Other areas for consideration- RESOLVED; to authorise the purchase of a new turning area sign for a post outside Hillhead, Noss Mayo to a sum of £10 plus VAT. (*Vote; Unanimous.*) A quote from South Hams Garden Services to fix the signs was awaited.

In committee

268/17 DILLONS GREEN- Gigaclear had just advised Wolfertans Solicitors that they would be prepared to cover the Parish Council's legal costs up to a cap of £750 to deal with their proposed wayleave agreement, but this would not be backed up by a undertaking. Gigaclear had requested that should legal fees look to increase beyond this point, that they should be advised as soon as possible to enable them to make a further business decision. The risk was that the Parish Council would be relying on Gigaclear paying Wolferstan's invoice on completion, rather than a solicitor holding the funds and making payment. The Parish Council would therefore be at risk of having to pay Wolferstan's legal fees in the event of non- payment by Gigaclear. It was agreed no further quotations were necessary. RESOLVED; to instruct Wolferstans Solicitors to act on the Parish Council's behalf on the proposed Gigaclear Way Leave Agreement and to delegate negotiations over the Way Leave terms to the Vice Chairman and Ms. Adams. (*Vote; Unanimous.*)

269/17 PRE PLANNING APPLICATIONS/ PLANNING ENFORCEMENT

Planning enforcement matters were considered.

Meeting closed at 8.10pm