

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

**Held on 28 September 2017**

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

**ALSO PRESENT;** 2 members of the public, Cllr. Keith Baldry, Mrs. McDonough (Clerk).  
In the absence of the Chairman, the meeting was chaired by the Vice Chairman Mr. Alan Cooper.

**OPEN FORUM**

**The former River Yealm Hotel 2975/17/VAR-** the developer from Red Earth, Mr. Friend, attended referring to his presentation at the last Parish Council meeting. He suggested the revised plans submitted under Section 73, to exchange the plans for the annexes, were an example of when developers listened and responded to comments made during the planning process- from the Landscape and AONB officer, the planning officer and the public. The revised plans set the former hotel building in a visually more interesting setting. The flat rather than pitched roofs of annexes A & B reduced the ridge height and roof massing. This would lead to improved views from the public footpath. The roofing material would be a mix of zinc, grass sedum and some terracing. There would be a slight change to the footprint. The Vice Chairman questioned the planning officers inviting the developer to submit revised plans. Mr. Friend suggested that the planning officers found nothing wrong with the approved scheme and had made their decision on the plans in front of them. They had just suggested informally during the process, whilst on site, that they had wished something more imaginative could have been undertaken. Mr. Friend advised that he could have submitted alternative plans within the original application.

**Land at The Fairway, The Fairway 2929/17/VAR-** a resident from The Fairway raised concerns about the variation to the planning consent already granted;

1. The Development Management Planning Committee had appeared to place great emphasis, in making their original decision, on the basis of one set of facts- that the development was for a local family, with one of the properties making provision for disabled needs. The variation application showed that the local family would now own only 60 % of the properties with 40% being sold off for development.
2. The Newton & Noss Neighbourhood Plan had reached a well considered stage. Given that it reflected the wishes of the community, it was not right for SHDC to decide where it wanted houses to be put against community wishes.

**223/17 APOLOGIES FOR ABSENCE-** there were apologies from Cllr. Blackler, Mrs. Ansell and Mr. Carter.

**224/17 INTERESTS TO BE DECLARED** - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

**225/17 DISPENSATION REQUESTS-** none.

**226/17 MINUTES** –the Minutes of the 7 September Parish Council Meeting were approved as a correct record and the Chairman was authorised to sign.

**227/17 VARIATION OF AGENDA-** RESOLVED: matters relating to consideration of quotations for Noss Play Park, matters relating to a proposed Gigaclear Wayleave Agreement and pre planning application/planning enforcement should be considered in committee.(Vote; unanimous.)

**228/17 DISTRICT COUNCIL**

**228.1 Cllr. Blackler-** had sent apologies. The following notes were received after the meeting;

- There had been very few meetings through August to report on but were beginning to start again through September.
- A review of the SHDC waste policy was being processed to improve the service even more so than of late.
- The Consultation on SHDC and West Devon Borough Council merging as One Council would be considered and decided upon by Mid-October. At the moment, from events in the South Hams, the views expressed were fairly balanced. It would then be put to the Secretary of State. The principal reasons for this was due to the Government cutting Grants, which could end in 2018.If the merger was entered into, then 13 members could lose their seats across the two Districts.
- More and more Enforcement case were being resolved, especially historical ones.
- On a recent survey of staff at SHDC over 80 per cent were happy with their jobs with a very small per cent not satisfied.
- All District Councils had to cut costs substantially as all of us would have to live with for the foreseeable future.

**228.2 Cllr. Baldry –**

**i) Planning-** Cllr. Baldry suggested that the planning permission granted by the Development Management Committee, in respect of the Land at The Fairway, had been one of its worst decisions, in respect of which he was in correspondence with Gary Streeter M.P. He felt that the representations about the build being for a local family had

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influenced the Committee enormously. The Neighbourhood Plan had emerged much more since the planning permission was granted. If the planning officer was minded to grant permission, delegated authority would be sought from Cllrs. Blackler, Steer and Baldry. If Cllr. Baldry did not agree he could request the matter go to Committee. Cllr. Baldry was aware the Parish Council had objected to the planning application for 98 Yealm Road on the basis of over fenestration and asked if the Parish Council wished it to go before the Development Management Committee. The Planning Officer was recommending approval. It was agreed not to request the matter go to Committee on the basis that the objection raised was likely to be unsuccessful.

The objections raised in respect of Brook Bakery, Riverside Road West were discussed. Cllr. Baldry was asked to refer the application to Committee.

The planning appeal in respect of "Whitegates", Parsonage Road had been allowed.

**ii) Sustainable Community Locality Fund-** applications had been seriously oversubscribed. He had approved all three applications from the Parish and grants had been made to Newton Ferrers Post Office (the largest grant), the Carers Support Group and Newton & Noss Village Hall.

**iii) SHDC/West Devon merger consultation-** the closing date was 8 October 2017. Cllr. Baldry had not met one member of the public in favour, and all the Parish Councils with which he was associated (with the exception of Ivybridge Town Council) were against. The matter would be going before full Council on 31 October. It would then need to be put before the Department of Communities & Local Government in 2018, time permitting. Cllr. Baldry referred to the usual requirement to have a Referendum if Council Tax was to increase by more than 2%. If the merger took place Council Tax would increase for South Hams residents, in Band D, by 40%.

## **229/17 PLANNING**

**229.1 Neighbourhood Plan-** the Vice Chairman advised that it was progressing with plans to submit to SHDC the next month. Cllr. Green advised that he had secured an extension of two months to use the grant funding from the Community Rights Programme.

### **Planning decisions**

**229.2 Collaton Cross Water Storage Tank, Whittingham Road 1923/17/NMM-**non material amendment following planning consent 37/3029/13/F (erection of double bay garage for vintage car storage) to change drainage solution from mains connection to septic tank. SHDC; Granted.

**229.3 Sprats Cottage, 50 Creekside Road 248/17/NMM-**non material amendment to householder consent 0483/16/HHO to change roof slate type and Velux window width. SHDC; Refused.

**229.4 Yard at The Lifeboat House 1994/17/FUL-**retrospective application for a retaining wall. SHDC; Granted.

**229.5 21 Bishops Court 1798/17/FUL-**application for replacement Juliet balcony. SHDC; Granted.

**229.6 Whitegates, Parsonage Road APP/K1128/W/17/3173207-**demolition of single dwelling and the erection of two detached dwellings. **Planning Inspectorate;** Appeal allowed.

**229.7 Mere 75 Court Road 2109/17/HHO-**householder application for alterations and extension. SHDC; Granted.

**229.8 Wayside, 10 Revelstoke Road 2065/17/FUL-**householder application for infill of undercroft area to extend bedroom. SHDC; Granted.

**229.10 Oystercatchers, 79 Yealm Road 1949/17/FUL-**demolition of existing dwelling and replaced with new 4 bedroom dwelling. SHDC; Granted.

**229.11 1 Perches Close, 1986/17/TPO-**work to Tree Preservation Order trees. T1: Sycamore - Fell; T2: Ash - Biforcates at 5 metres, reduce height of both stems to approx 7 metres from ground level. SHDC; Granted.

**229.12 Wrescombe Farmhouse 1826/16/LBC 1802/17/HHO-**Listed Building Consent/Householder application (retrospective for retention of porch and use of an outbuilding as an office. **SHDC; Granted**

**229.13 The Buoys, Stoke Road 2139/17/HHO-**householder application for alterations to roof and fenestration of existing house and garden. SHDC; Granted.

**229.14 Riverslea, 35 Yealm Road 2314/17/HHO-**householder application for 2 storey extension and creation of new access steps and terraces. SHDC; Granted.

**229.15 Sunrays, Lower Court Road -**South Hams District Council (Parish of Newton & Noss) (No.937) Tree Preservation Order 2017. Serving of New Order. SHDC; Confirmed.

**229.16 10 Road To Passage House, Noss Mayo 1572/17/TCA-**works to trees in a conservation Area.

T1: Ash - Fell; T2: Ash - Fell; T3: Ash - Fell; T4: Ash - Fell; B1: Evergreen bay bush - height reduction by approx. 1 metre, lateral reduction by approx. 2 metres. SHDC; Granted.

**229.17 Solar PV Array at Newton Downs Farm 2776/17/NMM-**application for non- material amendment following grant of planning consent 37/1426/15/F to change the height of solar arrays. SHDC; Granted.

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

**229.18 Former River Yealm Hotel 2975/17/VAR-**revised plans. Original application number 0607/17/FUL. DECISION; No objection (*Vote; 6 in favour, 2 against.*)

**229.19 Land at The Fairway, The Fairway 2929/17/VAR-**variation of condition number 2 following grant of planning permission 1372/16/FUL to allow for changes to plans of plots 1 and 2. DECISION; Objection;

1. No requirement for this type of housing had been identified in the latest Parish Housing Needs Survey.

2. The development was outside the Village Development Boundary as identified in the draft Newton & Noss Neighbourhood Plan.

3. The proposed changes were out of context with the remaining buildings proposed under 1372/16/FUL and the established bungalows along The Fairway. The existing planning consent for the five houses under 1372/16/FUL was more in keeping with surrounding properties.

4. The increase in height for the proposed new buildings would affect the skyline.

5. The draft Newton & Noss Neighbourhood Plan has passed Regulation 14. As such account must be taken of the views of the community within that plan. *(Vote; Unanimous.)*

It was agreed, should the matter be referred to the Development Management Committee, that authority would be granted to Mr Parry–Smith to draft a letter to the Committee regarding the original justification for the development- for a local family, for provision for disability needs and an agricultural reference, to which the Committee had appeared to place great regard on granting the original permission.

**229.17 The Old Sail Loft, 2833/17/VAR** -variation of condition numbers 2, 4 and 5 following grant of planning permission 2424/16/VAR. The Chairman, Vice Chairman, Ms. Adams and Ms. Longworth had made a site visit when the original application had been considered. DECISION; No objection. *(Vote; 7 in favour, 1 against. )*

**229.18 Caulston Farm 3048/17/FUL**-provision of agricultural livestock building (building 1.) DECISION; No objection. *(Vote; unanimous.)*

**229.19 Caulston Farm 3093/17/FUL**-provision of agricultural livestock building (building 2.) DECISION; No objection. *(Vote; unanimous.)*

**229.20 Caulston Farm 3094/17/FUL**-provision of agricultural livestock building (building 3.) DECISION; No objection. *(Vote; unanimous.)*

**229.23 Devon County Council Mineral Safeguarding Area Consultation**-Cllr. Green had reviewed the consultation which was aimed at preserving certain area for mining in the future. The area affected appeared to be a section of land on the boundary of the parishes of Newton & Noss/Brixton. Members had no comment.

### **230/17 ADMINISTRATION**

**230.1 Events applications**- none.

**230.2 Audit 2016/2017**- the external auditor, Grant Thornton, had submitted their report. They had completed their review of the annual return which had been circulated to the members prior to the meeting. On the basis of their review of the annual return, in their opinion, the information in the annual return was in accordance with proper practices and no other matters had come to their attention giving cause for concern that relevant legislative and regulatory requirements had not been met. Other matters not affecting their opinion which they drew to the attention of the smaller authority- none.

### **231/17 CORRESPONDENCE**

**Village Housing Initiative**- Cllr. Green had advised that he had asked for this review, given the Parish experience with the Parsonage Road development. He suggested it would be better for these schemes to give priority to people along the following lines, as he considered that there were benefits for society of enabling people to live near to relations and where they had been brought up or had been living in recent years:

- A-D housing need for people living in the Parish
- A-D housing need for people living in the neighbouring Parishes
- E housing need for people living in the Parish
- A-D housing need from the rest of the South Hams
- E housing need for people living in the neighbouring Parishes
- E housing need from the rest of the South Hams

Of the rented properties tenancies had been given to one resident from the Parish with a primary connection and seven to those with a South Hams connection. All shared ownership properties had been sold- 5 to those with a South Hams connection (4 from Newton & Noss), one from Yealmpton, one from Plymouth and one to a person with MOD connection. Authority was granted to the Chairman, Mr. Cooper, to complete the survey with assistance from the Clerk.

### **232/17 COUNTY COUNCIL**

**Highways/Transport**-a parishioner had raised concerns about the collection of mud/debris on the roadside around Bridgend which could impede drainage with the forthcoming winter weather. The Clerk had contacted Mr. Colton, the local Devon County Council Highways Officer, who had advised that he had a small road siding budget and would add the area in as non-urgent work for this financial year. He had been unable to give a time frame. It was agreed to leave the matter with Devon County Council Highways.

The Chairman queried why the surface of the A379 between Brixton and Yealmpton had not yet been addressed and would raise this with Cllr. Hosking at the next meeting.

The Clerk advised that she had been contacted by a resident at Meadows Close who had noted that consideration was being given to bus stop provision at Butts Park. She advised that a number of local residents used the bus stop opposite Meadows Close and they would not wish to see that bus stop moved.

**233/17 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 234/17. Cllr. Green advised that his wife

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now worked every Thursday evening. A childminder had had to be employed to enable Cllr. Green to attend Parish Council meetings. Members agreed, in principle, that childcare expenses would be considered and paid upon provision of expense claims from Cllr. Green. Members were advised that there was currently no budget provision for regular childcare allowances. The budget group would need to address this for the financial year 2018/2019. South Hams Garden & Property Services had asked whether the parish Council wished to continue with grass cuts twice a month for Butts Park Play Park and Playing Field in October given the current weather and grass growth rate. This was agreed.

**234/17 AUTHORISATION OF PAYMENTS**

<b>The following cheques were authorised totalling:</b>			<b>£124</b>
<b>Chq</b>			
<b>No</b>	<b>PAYEE</b>		<b>AMOUNT</b>
2356	RYHA	Slipway Cleaning Fluid	£24.00
2357	RBL Yealm Branch	Grant-Great Pilgrimage 90*	£100.00
		<b>Total</b>	<b>£124.00</b>

\*Section 137 Local Government Act 1972 payments:£100 total to date;£295

**235/17 MAINTENANCE**

**235.1 Maintenance working groups-**

South Hams Garden & Property Services had enquired into the use of Glyphosate weedkillers on Parish Council land and in particular the play parks. The SHDC Localities officer, Mr. Tim Pollard, had spoken to SHDC Grounds Maintenance who had confirmed that SHDC were using Glyphosate on all council land, including where necessary play parks. It was still considered to be the most effective all round product for general use. RESOLVED; the Parish Council would allow the use of Glyphosate products in accordance with manufacturers’ instructions and on the basis that whoever did the spraying needed to be properly certificated and must keep records of the usage to comply with the current legislation and guidelines. In play parks the applications should be very early in the morning or late at night. (Vote; 7 in favour, 1 against.)

**i) Sports Pavilion-** no report.

**ii) The Green/Dillons Green-**the risk assessments had been reviewed. It was agreed to seek a quote from South Hams Garden & Property services to grass seed the former shrub beds at Dillons Green, to level and grass seed the area where the felled tree stood and to remove the two tree stumps near the war memorial. It was hoped to hear from the RYDA in October as to whether the organisation wished to replace its bench at Dillons Green.

**iii) Play parks-**

**Butts Park Play Park-**RESOLVED; to contact SHDC to see if they had spare “No Dogs “signs to put at the playing field entrance to the play park, failing which to authorise the purchase of two “No Dogs “ signs to a maximum of £20 plus VAT. (Vote; Unanimous.)

It was agreed to request South Hams Garden & Property Services to provide a quote to deal with the entrance field gate (from the car park) to Butts Park Play Park on the basis of two options;

- a) A replacement gate which could not be lifted off its hinges.
- b) To alter the hinge arrangement on the existing gate.

Both options were being looked at to stop car drivers lifting the gate off its hinges to drive in the play park.

**Noss Play Park-**.RESOLVED; to authorise the purchase of “Please take your litter home” and “No Kite Flying” Signs subject to a maximum of £20 plus VAT per sign.( Vote; Unanimous.)

**iv) Noss Recreation Areas-** the following arrangements for the 2017 Apple Day were agreed;

The Apple day would take place Sunday 15 October from 13.30. The apple press /mulcher had been booked. The insurance position would be checked with the hirer. The Parish Council’s insurance would cover the hire of equipment up to £5000 with a £250 excess. Parishioners would be invited to bring their apples and bottles on the day. The juice produced would then be shared. The orchard group had funding to pay for the hire of the apple press and for a willow maker to come along (assuming she was available) through grant funding from Orchard Link. Peter Lanyon the furniture maker from Lambside, who had assisted the group in making the new table and benches, may be able to come to give a demonstration. There would also be camp fire cooking so children could cook Apple Dampers/marshmallows. This had been very successful previously. There would be refreshments and someone cooking Crepes. Parishioners had been invited to sell cordials/chutneys and honey. Some weeding/pruning of the apple trees would take place. All the risk assessments would be in place and that the insurance company had been advised.

The orchard group sought clarification of the position regarding further planting for which they had funding.In April 2016 it was agreed the group could use funding from Langage to undertake some limited additional planting- 5 plum trees, 2 walnut trees and inter planting of raspberries and wild honeysuckle in the hedge boundary with Hannaford Lane to act as pollinators. Min 101/16.In August 2016 there had been a site visit when local residents wanted no more planting. Min 213/16.The Council agreed that the group could undertake under planting in the hedgerows of honeysuckle and raspberries, but that there should be no further tree planting until the existing apple trees had developed.

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To date grant funding given to the orchard group through Orchard Link had been used for the provision of entertainment and apple press hire to encourage interest in the Community Orchard and its maintenance. Members agreed, in principle, to fund the apple press hire and some funding for entertainment for the Apple Day in 2019, subject to an agreed cap on expenditure.

Hedge trimming had been undertaken at Butts Park and Noss Recreation areas.

**235.2 Other areas for consideration-** an enquiry was raised about responsibility for maintaining the footpath behind the River Yealm Hotel. The meeting was advised that responsibility to date had rested with Devon County Council Public Rights of Way Department. Faults or concerns could be reported on line.

*In committee*

**236/17 NOSS PLAY PARK-** three quotations for safety improvements had been sought to include improving drainage at the base of the slide, installation of a new plank in the shipwreck and to remove the boulder area beneath the log bridge and replace with sand/bark. The matters had not been raised during the annual RoSPA inspection nor by the SHDC play park inspector. The members with responsibility for the play park considered the work necessary to increase safety. The Parish Council had set a budget of £3500 for play park repairs of which £220 had been paid to date. **RESOLVED;** to accept the quotation from Flete Gardens to replace the area beneath the log bridge with play sand /bark £200 plus VAT, to improve drainage in the slide area £475 plus VAT and to insert a new plank in the galleon £25 plus VAT. (*Vote; Unanimous.*)

**238/17 DILLONS GREEN-** the terms of the Gigaclear Wayleave Agreement were discussed. The Clerk had made contact with Wolferstans Solicitors who had dealt with the surrender of the lease at Bishops Court. Wolferstans had agreed that Gigaclear should cover the Parish Council's costs to deal with the Wayleave Agreement. If the Council wished Wolferstans to act, it would be on the basis that they would look to recover the costs from Gigaclear, and get an undertaking from them to do so. The Council could revisit how it would like to proceed if Gigaclear refused to cover the costs. Effectively Wolferstans would not do any work on the matter (other than contacting Gigaclear) until Gigaclear confirmed to cover their costs. On the assumption that Gigaclear confirmed that they would pay the Council's legal costs, authority was delegated to the Chairman Mr. Cooper and Ms. Adams to negotiate terms.

**239/17. PRE PLANNING APPLICATIONS/ PLANNING ENFORCEMENT-** matters were discussed including referring one matter to Mr. Nick Colton at Devon County Council Highways.

Cllr. Green advised that Development Management were trialing a scheme such that hard copy plans were no longer sent to Parish Councils for planning consultations. It was agreed the Clerk should contact Mr. Patrick Whymer at SHDC to advise that Newton & Noss Parish Council wishes to continue to receive hard copy plans.

*Meeting closed at 8.45pm*