

**STOKENHAM PARISH COUNCIL
MINUTES OF THE MEETING
HELD ON 21ST APRIL 2016 IN THE
STOKENHAM PARISH HALL**

PRESENT:**COUNCILLORS:****P. SPENCE (Chairman)****A. GOODMAN****MRS S. O'DWYER****MRS C. PACK****J. GARDNER****J. BRAZIL (District and County Councillor)****T. LYNN****J. ANSELL****MRS P. DOUST****MRS C. PEARCE****Also in attendance:****Clerk – Mrs G. Claydon****APOLOGIES:****COUNCILLORS****L. COWLEY****T. HOEKSMAN****C. ROGERS****MS. S. BLADON****1. OPEN FORUM**

Nine members of the public were present.

Alistair Kameen of Woodbine Cottage, Kellaton raised concerns with regard to the amendments to the planning application for Courtleigh, Kellaton. He had not objected to the original application because that involved excavating so that the new building would sit lower in the landscape and be more discreet. But the proposed amendment would, he felt, dominate the village as it was proposed to build 2 feet higher, on top of the additional 2 feet in height permitted by the original application. This would mean that the property would be as high as the ridge of the garage, which would have a considerable impact. Such development would destroy the village's unique charm. Mr Kameen illustrated the effect of such development citing the "trophy" houses visible along the coast when sailing into Salcombe or Newton Ferrers. The proposed property was uphill from his so would be looking down on his garden and would represent an overburdening intrusion into the privacy of his garden. Ian Foale, of Higher Kellaton Farm, noted that the proposal involved considerably less excavation than the original, probably because of the difficulties of removing the soil from the site, but as a consequence there would be a three-storey building in a village where previously there had only been two-storey properties. Whilst it was not a planning consideration, the excessive height of the proposed building would mean they would not be able to see across the village anymore. Mr Foale pointed out that the applicant had blithely disregarded planning consents when he built his garage – it had windows that were not in the plans, an extractor fan built into the side, a satellite dish and aerial, and an industrial-looking metal roof – and as a consequence Mr Foale had a well-founded concern that any new consent would be treated with the same casual disregard. It was noted that the applicant was currently living in the garage.

Angela Foale raised concerns with regard to statements made within the Design and Access Statement at 7.2 Guidance and claimed four out of the five statements were not complied with. Mrs Gonzalez noted she had lived in Kellaton for 40 years during which the character of the village had completely changed. The garage with the metal roof had been built on the site of an

old farmstead of some archaeological interest, which she felt had been bulldozed with no appreciation of history or community.

The Chairman noted he had read Mr Kameen's objection online and asked for clarification on the matter of the finished height, as the plans stated that the ridge of the newly proposed building was "only" 600mm higher than original. Mr Kameen explained that the permission already approved had itself permitted an increase in height of some 600mm over the height of the original building, so the additional 600mm now being sought would mean an overall increase in height of 1.2m, a very significant increase in the context of the surrounding built landscape. Mr Foale asserted that any excavation was bound to hit water: he had a higher field containing 2 or 3 springs. Were there any rules governing the contamination of a spring from building works? In response to a request for advice on how to best present their concerns, the Chairman agreed to make available a list of Material Considerations that could form the basis for an objection to a planning proposal, and to publish it on the Stokenham Parish Council website.

DISTRICT AND COUNTY COUNCILLOR'S REPORT

Cllr Brazil explained to the members of the public how the District planning process worked in considering decisions. The meeting then moved to approve the Minutes and seek Declarations of Interest before considering the planning responses.

Once the planning responses were dealt with all members of the public apart from Fran Ansell left the meeting.

At County Council there was only one significant issue to report, namely the withdrawal of support for Post-16 school transport. Previously the cost, at between £520 and £560 per annum, had been discounted by 50% to low-income families; this support would now cease. The savings made had been taken into account when the budget was prepared, but Cllr Brazil deplored the fact that County Councillors were not aware of the source of the savings when they were considering the budget. Cllr Mrs Pearce asked how this fitted in with the extension of the school leaving age. Cllr Brazil agreed that there was little logic to it: the Government had increased the requirement to remain in education or training, but without making provision to pay for transport, nor was it a statutory requirement of County. If a young person lived in an area without any transport, this must be provided, but County could also charge for it.

Cllr Brazil went on to advise that there had been activity with regard to a diversion of the Coast Path at Hallsands. With the road behind the beach no longer passable, walkers were taking the shortest route through the private car park. Paul McFadden, footpaths officer, had taken the view that it would be preferable to divert walkers away from the car park, where their presence might cause ill-feeling, and had signed a diversion accordingly. (Cllr Brazil mentioned, as an aside, that he thought the ownership status of the car park was moot: he had used it for many years and speculated that under common law such customary use became a right.) Mr McFadden had advised that the Coast Path Team were about to start a review of the path, mapping its current route from Penzance to Dartmouth. He noted new legislation mandating that any erosion of the current path would result in the route being diverted to the next practical location along the corridor without the need for further legislation.

Cllr Brazil reported on a Peer Group Review of SHDC's planning process. Accepting that there were persistent problems in its handling of planning issues, District had agreed to open its books to the scrutiny of two outside experts, one a former CEO of a West Midlands borough council, the other a former chief planner at West Norfolk DC, who had taken evidence from town and parish councillors, officers etc. Early feedback from this review painted a balanced picture, with both plus and minus points, although the official report, together with a list of recommendations, was not due for three weeks. The Chairman, who had given evidence at the review, expressed

some scepticism at this: the session he attended, together with some 30 town and parish councillors from across the district, had an overwhelmingly negative opinion of the efficacy of the SHDC planning process, to the extent that the outside experts were somewhat taken aback by the vehemence and unanimity of the views expressed.

Cllr Brazil gave an update on the plan for District to set up its own facilities company. Opinion was split on this, with senior officers keen on the idea but members less so. He took the view that, with so many of the council's other functions impaired after recent reorganization and staff changes, this might not be the best time to introduce more upheaval. Several councillors raised the subject of Planning Enforcement and whether it could be said to be remotely effective. Cllr Brazil said that Enforcement had finally got involved at Dunstone Cross and ordered work to stop. He was immediately contradicted by several councillors who pointed out that builders were still on site and had been putting on a roof that very afternoon. Cllr Mrs Doust felt that if the fence in Chillington was still in situ and in breach how could District deal with this build. Cllr Brazil acknowledged that enforcement was trying to work through the backlog but assured everyone it was being put back together again as previously Cllr Brazil had sent photos and told everyone that developers were building houses and getting away with it. At Beesands there was loads of rubble back up on the Green and road again and the defence material had moved. At Torcross the Environment Agency report on the wall cracks was awaited.

2. DECLARATIONS OF INTEREST

Councillors were invited to declare any disclosable interests, including the nature and extent of such interests they had in any items to be considered at this meeting. They were also reminded to consider whether in the light of recent activities any items within their Register of Interests should be updated. It was advised that any unforeseen request for a Dispensation would be considered by the Clerk at this point only if there was no way a councillor would have been aware of such before the meeting. None received.

3. MINUTES

The Minutes of the:

- (a) Full council meeting dated 17th March 2016 was approved by all present and duly signed as a true and correct record.
- (b) Planning Committee meeting – none held in April 2016.

4. PLANNING & PLANNING MATTERS

- 0842/16/FUL Amendments to replacement dwelling, previously approved under application 53/0062/15/F Courtleigh, Road to Higher Kellaton Farm, Kellaton – Objection. Overbearing height out of keeping with locality, visual impact, loss of amenity and privacy due to overlooking, massing on the plot.
- 0933/16/HHO Householder application for a rear two storey extension Lea Cliff Cottages, 2 A379 Kiln Lane to Torcross Point, Torcross - No objection.
- 1057/16/LBC Listed building application to increase height of chimney by 900mm and replace internal flue Myrtle Cottage, A379 Port Lane to Coleridge Lane, Chillington – No objection.
- 1058/16/HHO Householder application to increase height of chimney by 900mm and replace internal flue Myrtle Cottage, A379 Port Lane to Coleridge Lane, Chillington – No objection.

PLANNING CORRESPONDENCE

Nothing further to table.

5. INTERNAL AUDIT

It was AGREED to:

- (a) accept the Internal Audit report 2015/16
- (b) answer Section 1 of the Annual Governance Statement for year ended 2015/16 as duly carried out and completed by parish council within this meeting
- (c) accept the annual account statements in Section 2 as drawn

and when all duly completed and approved for the Chairman and Responsible Financial Officer to accordingly sign in readiness for submission for the External Audit.

6. EMERGENCY PLAN

The Chairman tabled the latest edition of the Parish Council Emergency Plan in a final draft before circulation. In response to a question asking under what circumstances the Plan should be implemented, the Chairman quoted from page 2 of the Plan as follows: "This plan is intended to provide support where the Emergency Services are not available." Accordingly it was not invoked during the recent weather incident at Torcross, as several residents had already called 999 and a full emergency response was activated. The Coastguards had been called directly and responded on a 1571 call back to the resident. The crew called in from Plymouth were emergency evacuators who provide specialist RIB rescue for accident victims in the water. Reports that an outside crew were brought in for a rest centre were incorrect. The keys to Torcross Chapel were held by a local resident; it has since been agreed that this facility, although in need of refurbishment, would be added to the Plan as an additional emergency accommodation centre.

Further details were added to the Appendices of the Emergency Plan. It was AGREED that the correct procedure for invoking the Emergency Plan was to telephone the Chairman, the Parish Clerk or John Baverstock, as Emergency Plan officer, and not otherwise.

7. HELMERS TRANSFER AND LAND

It was noted that District had agreed to pay for the repair of the maintenance gate and section of fence and these works had been organised. A planning application form had also been obtained to assist Chillington Community Association in applying for their underground gas tank supply.

The up to date position with regard to this land transfer was provided and it was AGREED to

- (a) approve the revised solicitors fees capped at £1000 for the transfer of the land
- (b) provide a grant of £97.50 to pay the planning application fee for the installation of the gas tank for the Chillington Community Association.

8. AMENDMENT TO STANDING ORDERS

It was AGREED to approve the amendments suggested by the National Association of Local Councils in order to comply with the Public Contracts Regulations 2015.

9. USE OF LAND

It was AGREED for the Chairman and Parish Clerk to meet with the resident to consider such access over the Helmers Playing Field, proposed laying scaffolding sheets to protect the grassed area, in order that reclaimed stone could be passed over the hedge to be taken away to his property.

10. GRIT STORAGE AT TORCROSS

It was AGREED that the new location for grit storage in Torcross due to the current planning application for the Hannaford Butchers land, where grit was currently stored, could be Torcross Chapel.

11. ORCHARD LINK

A report on the meeting to create an Orchards Action Plan was provided and it was AGREED that the further actions needed with regard to funding works and the Apple Day be undertaken. Cllr Mrs Doust and the Chairman would get together to canvass for volunteers for a Friends of Chillington Woods team to care for the orchard.

12. REPORTS

Various matters around the parish:

- Cllr Mrs Pearce asked that parish council show support for Hallsands residents with regard to the footpath diversion. She was concerned that County Highways felt they could do what they wanted because they had power to. She also noted that that people were still visiting Hallsands, but due to the lack of car parking were parking inconsiderately and in some cases dangerously, blocking access for residents and potentially for emergency vehicles. The Chairman acknowledged the sensitivity of the situation and asked Cllr Mrs Pearce to consider what positive action the parish council could take to help.
- Cllr Gardner wondered if anything further had been heard from the Environment Agency on the options for repair of the coastal defences at Torcross. The Chairman responded that they were due to publish the options the following day, Friday 22nd. At a recent meeting with Dr Sarah Wollaston MP she noted the area of the SSSI was just the shingle bank and questioned whether its importance should be added to the economic value. Cllr Gardner had contacted the key holder for Torcross Chapel and offered volunteer help to carry out some minor repairs and renovation.
- Cllr Ansell had attended the Kingsbridge and Salcombe Estuary Conservation Forum and advised that Robin Toogood would shortly be retiring and that Ken Carter was now chair. Ken Carter had not heard about the coastal problems so he had been advised of such. Cllr Ansell explained the Environment Agency Yellow Fish project to raise awareness that drains and gulleys drained into the watercourses.

PLANNING PEER REVIEW

The Chairman gave a brief summary of events at the evidence-gathering session he had attended, adding to Cllr Brazil's report on the Review. No one in attendance would have left the meeting in any doubt that the South Hams District Council planning process was universally deprecated by its town and parish council clients. Although SHDC was under no obligation to publish the final report, both external inspectors gave their word that they would use their best efforts to ensure that it was. The Chairman hoped their voices would win out, and said he was sure all councillors would find it made interesting reading.

CLERK'S REPORT

- County Footpaths Paul McFadden had notified that the diversion of the footpath at Hallsands had been instigated due to the recent coastal erosion and undermining of the road.
- Bryan Enticott had offered the land earmarked originally for the Chillington Community Hall to Stokenham Parish Council. This was questioned as the development had gone ahead and been completed some time. From further enquiries the ransom strip that the Permissive Path crossed was also offered. Now some six months later Taylor Wimpey had responded to Bryan Enticott that as the hall was not to be built on the land it must remain with the Remus Maintenance Company as part of the Open Space. The question as to why parish council had been contacted and wasted time on this matter had not been responded to by Bryan Enticott.

- Devon County insisted that the highway grass cutting agreement must be signed before any monies for grass cutting would be released and that the contractor was suitably trained. Amount to be paid would be £425.
- Arqiva advised that it was not possible to provide the necessary disaster recovery services to the Start Point radio mast due to interference issues, but the existing radio mast at West Prawle had been identified for the continued provision of those services. Therefore under permitted development they were extending such use at Prawle.
- Chillington Community Association was changing their Constitution and it appeared they now only had one local authority representative. Also they did not have their accounts audited as they had less than £10,000 income and none of the hall build monies went through their books.
- Refreshments were to be purchased for the Annual Parish Meeting as usual.

13. FINANCE AND CHEQUES

Balances were provided:

Current £4485.16

Savings (1) £40,407.54

Savings (2) £4926.98

Transferred £3000.00

Received half yearly precept plus Government Grant £18358.50

Payments below were considered and approved to be remitted electronically or by cheque, if applicable:

HMRC – Tax & NI £185.18

Wages – £1069.94

Devon County Council – Peninsula Pension £330.81

Eclipse Internet – Council internet £14.40

DALC – Annual subs £450.67

SHDC – Parish Council election May 2015 costs £138.02

Came & Co – Council insurance £809.21

002261 – No cheques issued.

14. NEXT MEETING

Planning Committee would be held the first Thursday in May if applications were received that could not wait until full council. The next full parish council meeting would be the Annual Meeting held on the 19th May 2016. Both meetings commence at 7.30p.m. in the Wesley Smith Room at Stokenham Parish Hall.

Meeting finished: 9.45pm.

Signed Chairman Dated: 19th May 2016.