

**STOKENHAM PARISH COUNCIL  
MINUTES OF THE MEETING  
HELD ON 20TH APRIL 2017 IN THE  
STOKENHAM PARISH HALL**

**PRESENT:****COUNCILLORS:****P. SPENCE (Chairman)****MRS S. ROWLAND****MRS C. PEARCE****T. LYNN****J. ANSELL****J. BRAZIL (District and County Councillor)****J. GARDNER****A. GOODMAN****MRS T. DAYMENT****C. ROGERS****R. JACKSON****Also in attendance:****Clerk – Mrs G. Claydon****APOLOGIES:****L. COWLEY****MRS P. DOUST****1. OPEN FORUM**

The Chairman thanked the approximately 30 members of public in attendance for coming and taking part in the meeting and putting forward their concerns and views as this sort of community participation informed parish council responses.

Tom Jones, District Strategic Lead on the Joint Local Plan, attended to answer specific questions put forward at the consultation event held in Stokenham on 3<sup>rd</sup> April with particular reference to the allocation site in Chillington and Stokenham. Tom Jones thanked parish council for the invitation and gave an apology from District Council and his team that they could not give the answers to the questions at the event and hopefully he could.

The Chairman firstly outlined the previous consultation on the sites for the Joint Local Plan which was held on July 18<sup>th</sup> 2016. Over the course of a day over 200 parishioners from both Chillington and Stokenham attended and either prepared their own responses or left information on their concerns so that parish council had a feeling and sense of that meeting that of the sites in Stokenham up for discussion the preference was for Holbrook Terrace. It was certainly made clear that no one favoured the site chosen at Carehouse Cross. Therefore there was confusion when the plan came out with no mention of Holbrook and Carehouse Cross was preferred. The question was on what basis was this decision made. The community voice at the outset within the village showed a clear preference and everyone took District Council at their word that this was not top down planning. However the Chairman asserted that this was a prima facie case that it was top down.

Tom Jones explained that Stokenham and Chillington together were in the 2<sup>nd</sup> tier of settlements to take development within the Joint Local Plan right back to the core strategy. He felt planning policy was technical and evidence driven but District tried to explain the basis for their decisions. Previously a call for land was made within the SHELAA and over the years developers and landowners put land forward and asked such to be considered with 26 sites therein for Stokenham Parish. Most sites were not appropriate for development at this time due to constraints. However the planning authority had to identify some sites even in an AONB and must address traffic drainage issues, etc and it was therefore difficult to find the best sites. With regard to Holbrook they received the representations and knew the community preferred it and he did not feel it was unacceptable but they had not provided, to date, suitable evidence that the access to the site was

safe. The original proposal put forward was for 65 houses and County Council said it did not have safe access as some land along the entrance road was owned by the properties adjoining so unless released the road would be too narrow. D&C Housing put in a further representation which said they could build fewer houses but they had not proven the access could be widened nor addressed landscaping.

The Carehouse Cross site was much reduced in housing size and had come down further since the July consultation JLP 223/273 with only 20 houses, partly in recognition of comments made by the community. In keeping with heritage and landscape of the site the owner had offered a different access and County Council had not disagreed. Under the current Regulation 19 consultation now running County Council must show access is acceptable.

The Chairman still did not feel that an answer had been provided as to why one site was chosen over the other. One site might have reduced housing numbers and both had access problems but it did not appear that planning were comparing like for like. He had read the justifications and could not see Holbrook was consider like for like with Carehouse Cross and it looked like someone had chosen Carehouse Cross and that was it.

Tom Jones again explained that D&C Homes put in a representation with 15 houses but did not show access diagrams. If parish council and residents did not agree District Council was happy to receive such representation. Helen Bowers from Carehouse Cross noted that on the map she owned a piece of land not shaded in behind Old School Cottages and was not proposing planning for her garden. The driveway to access her garden was the gate which she understood was to be the access point. She explained that she personally took her life into her hands to access and egress this land and highway mirrors did not assist. Her question was what proposals were there that to mitigate this access difficulty that highways would agree to. She acknowledged she could not claim a view but with this proposal she would have Tesco, John Lewis and every other vehicle going down the side of her garden. Apparently 20 years ago a covenant was placed on that land for no residential dwelling so she could not put this land forward so how could someone the other side of the hedge do so. The other side from her land was the cesspit for 1 & 2 Old School Cottages and Old School House and they had rights across the field to empty such. Tom Jones noted that a covenant was not a planning tool and he did not know why it was put on but when the properties were developed it was and he was not aware of any covenant on the other land. There could be perceived to be an impact on amenity by vehicles in close proximity and the planning process would consider a road design. It was challenged that the walls of the current properties meant no visibility but Tom Jones felt with access issues they could move the hedges to give better access. This was disputed as there were no hedges at this point and this point was always congested with traffic queuing waiting to pass each other through the narrow lane. Another resident noted there was traffic all the time and in summertime it was dreadful with lorries etc. Tom Jones felt that the 20 houses could be built there and provide roads for a cesspit lorry or improved sewerage. Some felt they could not be forced to accept alternative sewerage and this could be a constraint to development. The Chairman advised developers could offer solutions to anything but all of these points were raised last year when comparing the two sites. Stokenham and Chillington took part in the consultation and gave reasons for Holbrook Terrace so people were frustrated by the fact that the whole exercise did not seem to have been taken into account and they were going through 'Groundhog Day'.

Tom Jones explained that if there was a representation from the owners/agents as to how to widen the road they could consider this. Anne Bowyer noted the comments by the Inspector back in 2010 when they said the roads were impassable and they had not changed. Residents were not against more houses and they put forward Holbrook Terrace after discussions with the owners and sent in photographs of access. At the moment DCL builders had met with Holbrook Terrace

residents. Carehouse Cross she asserted was in the AONB, Conservation Area and Coastal Heritage and she read the Coastal Heritage designation statement. Tom Jones suggested that some designations no longer applied as they did not fall in higher protection like a SSSI, thus it was a local designation that no longer existed. Anyone would however have to do a full biodiversity study on any site. It was noted that in the evidence work looking at both sites County Council quite clearly said in their response on Holbrook about they splay visibility but at Carehouse Cross they had not said it was not possible. It appeared officers were basing everything on their work done and suggested by Cllr Mrs Rowland that Tom Jones meet with the Highways Planning Officer and walk both site access points. Tom Jones agreed he would set up this meeting.

Another resident noted that a Coastal Heritage sites had a condition that if a site was proposed it could only be considered if there was no alternative. From this discussion it appeared there were so many reasons why not to use Carehouse Cross and less issues for Holbrook so it seemed strange. There had been no other designations put forward and the Chairman enquired if a valid, viable entrance could be shown at Holbrook would the site preference switch or would District have to think about it. Tom Jones advised that the Carehouse Cross site would not become non viable and they would add Holbrook and consider both sites. Therefore the Chairman asked if both were equally viable how much weight would be given to villagers' feelings. Tom Jones felt this was a difficult question to respond to but personally he felt if 100 were against a site should they take that representation. Planning decisions were based only on planning weight of information at the time. The Chairman suggested there was no democratic vote but planning weight and how much view was given to the community? Tom Jones acknowledged this but stated that they needed a site in the plan and the public want another one but as an authority they would go with a site that met all the criteria and could come forward. It was challenged what was the point in community consultation as this seemed a PR exercise designed to make people feel they had been consulted and pacify the village troublemakers. Tom Jones had sympathy with this view and felt the planning system as designed around Localism made people feel it was democratic but it was not a vote yes or no. As officers they were interested and learnt from engagement events having lived here for 10 years and doing planning for 30 years. In a consultation situation they were always learning something about the area and therefore it had some value. Maybe this was not always the decision people wanted and District must work harder to manage expectations.

Paul Farrier of Chillington Housing Action Team backed the Chairman's statements from earlier. He noted that under the Thriving Towns & Villages, section 68 T&Vs there had been 1123 responses and from Stokenham and Chillington 183 responses which was a significant percentage of all responses. Words and figures however disagreed and he outlined how a County Council expert advisor on the Green Park Way application spoke about the drainage scheme which was unworkable and who did not have the correct figures.

Martin Nuttall-Smith thanked Tom Jones for his time. He noted all the 'technical stuff' and explained he had lived here for 17 years. In the past he owned a house which when they sold it was suggested that Princes Trust were interested in developing the land adjacent. Planning officers at that time said nothing would ever happen on the field and certainly not until after 2034. He asked if Tom Jones had seen the access into the Carehouse Cross land and whether he truly believed that probably 40 cars going in and out the entrance was viable when a motorist could not see up and around the bend for one car. Holbrook Terrace had a splay. He therefore felt that the only reason for choosing Carehouse Cross land was to build expensive houses with a sea view. Tom Jones questioned why District Council would benefit from someone building a more expensive house and the choice was only for planning decisions. District policy was 30% affordable houses and they did want to achieve that on all sites. Cllr Jackson asked what was affordable for local people as the system set up was questionable for true affordable. £200,000

was not affordable to local people. The Chairman responded that in truth there was no influence on price, Government or District could mandate 20% off market value but there was no limit on the price stated beforehand. Nothing was affordable in any use of this interpretation. Houses sold for £360,000 discounted by 20% would require a £55,000p.a. (earnings) mortgage. Lesley Crocker, District Communications stated this was why District had shared ownership, rent to buy and disabled facilities schemes. Tom Jones as a planning officer noted he had the same frustration. District Council had been given some money by central Government to help address this problem and try to bring sites forward to make truly affordable properties.

Lesley Crocker apologised with regard to the question on how much do residents' views matter. She felt District had let people down as they had not come back and given the community reasons why and noted the wealth of feeling at this meeting. Bob Johnson asked if it was not within the bounds of the developer to decide that the affordability of the site did not now allow them to build it with 30% affordable houses and were District Council being led into this trap easily as it kept happening. At appeal District Council argued this fact but the Inspector said they could not provide 30% as the NPPF required viability to be taken into account. Green Park Way developers initially said 35% and then when they made their first application it reduced to 17% and now miraculously it was up to 30%. What credibility was there? Tom Jones felt they should be allowed to ask the developer to provide but they must consider any application if a developer came back with lower affordable provision however they would argue it did not balance other factors.

With regard to facilities such as the school, roads and doctors surgery these were all full and there was only one shop in Chillington and none in Stokenham. Children had to travel to a school further away because could not get in at Stokenham. With regard to infrastructure District Council go to County Council and ask what the impact would be with regard to schools in the settlement or adjacent and they were advised by them. However County Council have not commented on any site in the plan. For the Green Park Way application County Council asked for some money for primary, secondary and transport to secondary school. The complication came when people chose another school they wanted their child to go to.

Justin Haque noted that the answers were going round and round and yet there was no illustration of consultation. Circumstantial reasons had been provided as to why this was not good as a local centre. With vague answers this was democracy not really at work. This was top down decision making. Tom Jones responded he felt he had given answers to every question as at present there was no viable access provided with evidence. Put the evidence in front of the district council and they would look at it. The Chairman summed up and felt that Tom Jones was doing a sterling job in defending something that he clearly did not totally support himself.

The deadline for the consultation was the following Friday and the Chairman explained that parish council would put together a response over the next few days with site specific points and also addressing the actual need for housing and asking for a reduction in allocation for this settlement. He also questioned the mathematical basis of numbers, not just the census but the way the allocation was done and allowance of vacancies for 2<sup>nd</sup> homes and market uplift (citing the trickle down economic notion that in order to make property more affordable build 25% more).

There was a housing topping paper that went into great deal and was written by a specialist which was at the engagement event. Tom Jones was not into such details but they had someone who could explain such.

Tom Jones accepted the criticism on the consultation and was asked what happened if both sites proved possible and he explained they would both come forward. A question was raised as to

when the traffic survey was done? The Highway Authority informed on this and a specific site survey would have to be done with a planning application.

Peter Sandell advised he had lived in this area for 25 years and sustainability meant nothing or everything. For the South Hams to remain sustainable they had to stop all this change and just cramming things in it and therefore there was no case to develop Carehouse Cross. Anne Bowyer advised she had all details relating to Holbrook and if this was passed over would District Council take it instead of Carehouse Cross. Tom Jones said they could meet on site and then come and have a discussion.

The Chairman thanked Tom Jones and Lesley Crocker for coming down as it took integrity and nerve to do so.

*All other members of the public left apart from Justin and Katy Haque who attended to speak on the Darnacombe Farm application and the owner of Cartref. The Chairman advised he would stand the meeting down at each relevant planning application consideration for such comments.*

## **DISTRICT AND COUNTY COUNCILLOR'S REPORT**

Cllr Brazil noted that with regard to County Council he was in purdah due to the forthcoming elections. He did however note that the road at Totnes Cross was being patched at this very moment and would re-open tomorrow at 7a.m. A full resurface was in the capital program hopefully to be done in June. Skanska was the new contractor for such works and the head of highways had left and there the person acting was Meg Booth whom he had much confidence in.

In relation to District Council he admired Tom Jones for attending and addressing concerns with the Joint Local Plan, a plan which he did not vote for as he felt the housing numbers did come from on high and the NPPF was a questionable document. The Public Enquiry on this document would be sometime in autumn (September/October) for 2 – 3 days. District had held a specially convened full council which covered financial matters and suggested borrowing £80 million so they appeared intent to borrow this money. There were District members who thought it was a good idea so all he could do was wait and see. A further Executive meeting was held today which might have considered this matter further.

Beesands Play Park has happened exactly as he feared and expected with complete inaction. He had requested £4000 be spent to have the play area cleared up and made working again. District had however suggested an area that flooded and was out of the way for the park to be moved to. His feelings was spend £4000 and make it viable for two years then develop on one side of the piece of land behind the public toilets. Cllr Rogers noted that all the fence posts gone from Beesands apart from the ones falling into the sea which needed to be removed and reused. At the car park the round posts were so damaged that caravans could drive through and at Easter three caravans were seen in there. Cllr Brazil would speak to District officers with regard to opening the play area and not moving it at present. He would also raise the concern with regard to the car park posts.

## **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 16<sup>th</sup> March 2017 were approved by all present and then duly signed as a true and correct record.
- (b) Planning Committee meeting no meeting held April 2017.

### 4. PLANNING & PLANNING MATTERS

The applications below were considered at this meeting and the following observations submitted to District:

- 1768/16/OPA READVERTISEMENT (Amended description and plans) Outline Planning application (with all matters reserved) for the erection of 28 dwellings (including affordable/starter homes), creation of community allotments, accesses, highway improvements and associated landscaping Proposed Phase 2 Development Site Land At Ngr Sx77664245, Mill Lane, Frogmore, Devon  
Objection. It was felt that although this application had reduced the number from 40 to 28 houses the only way the scheme justified building an access road from one side of the valley to the other would mean they would increase the numbers later. Concern was raised with regard to impervious surfaces aggravating flooding towards Chillington as water was a massive issue if high tide backed right up. Proposals for amenity land were development in the AONB and such playing field would be outside the village and not drained well.

#### *Cllr Gardner arrived.*

The owner of the property explained the request to extend the balcony onto the proposed garage and after consideration it was agreed to have a site meeting which took place that weekend and the below response was provided.

- 0525/17/HHO Householder application for proposed new garage and to change Juliet balcony to balcony by adding glazed balustrading around existing flat roof Cartref, Kiln Lane Stokenham – No objection.
- 0732/17/HHO Householder application for demolition of existing conservatory, extension to kitchen and construction of an in-ground swimming pool Rose Cottage, Widewell, TQ7 2EE – No objection.
- 0806/17/FUL Change of use of Agricultural building to 3no. residential dwellings annexe to farmhouse and access improvements Darnacombe Farm Chillington  
Justin Haque noted the 26 objections for the proposal which affected the SSSI and overlooked Slapton Ley. Other planning applications submitted around Slapton had been stopped or reduced so as to not affect the setting of the ley. These applications were not as near nor had as much impact as this proposal and Mr Haque felt in time the site could easily grow to accommodate 10 buildings. As this site was within the undeveloped coast and beside an AONB the NPPF would protect against this development and he cited policies DP9,12 and 16. This formerly working farm would be laid to history by this development and all five neighbours would be overlooked into their bedrooms. They would also lose the amenity of the wetland valley with the flooding problems at Dearbridge exacerbated. He continued that the environmental impact would be a tragedy due to species there and this haven for nocturnal species. This would create a new hamlet with night lighting, flooding and increased travel with perhaps two cars per house and the layout could lend itself to 7 properties but could become 10. This would create impervious surfaces in a flood risk area. This application could come within permitted development rights (Class Q) and the application did say they were but an application was submitted. The buildings were surrounded by an enormous amount of agricultural land and it was questioned what would happen to this as Mr Haque felt no one would be able to use it due to access points.

The roads to and from were not viable for this size of application and perhaps a starting point against breaking these farms up. Cllr Goodman felt that converted barns could make a farm more viable and the fields would be farmed as someone else would find another track in. Yes there would be traffic increase but there would be no cattle, delivery or tractors. With regard to flooding the valley ran across a huge area the conversion was not talking about a lot of roofs and probably some hard surfaces would be removed for amenity land or perhaps a drained loose surface for access ways. With no animals there would be less water and nutrients going into the ley water as the farming would be gone.

This was not in the AONB but in a site affecting the setting of the AONB with similar protection and did not seem intrusive development for such a sensitive site. Parish Council was puzzled by Permitted Development and Class Q and yet an application had been received and it was noted that the ministerial limited for Section 106 contribution was 5 dwellings.

No objection. Such a change could introduce further light into this sensitive area and care must be given to ensure there was not too much light pollution. The visual impact on the AONB, SSSI by urbanisation of a rural setting would also require sensitive landscaping. Ongoing stewardship of the remaining land part of this holding might require further alternative housing/farmhouse and could create unwanted new development in a sensitive area and conditions were requested to deal with this. Concerns were raised with regard to increased traffic on this narrow lane and the need to address any changes to the flow of water in this flood risk area.

*All other members of the public left the meeting.*

#### **WORK TO TREES IN A CONSERVATION AREA**

- 0819/17/TPO Proposal: T1 - Monterey Cypress - Fell Location: Trenear, Kellaton, TQ7 2ER – Objection. This is a visible landmark.
- 0844/17/TCA Proposal T1. Mimosa – Fell. T2 & T3. Sycamores – crown reduction by 20% due to excessive shading Location: The Close, Stokenham – No objection.

#### **PLANNING CORRESPONDENCE**

- Various already circulated to parish council. None received in the meeting.

#### **5. JOINT LOCAL PLAN**

The parish council response to this draft document in the light of feedback from the recent District Consultation event held in Stokenham and comments in Open Forum was AGREED as follows:

#### **6. TELEPHONE BOX**

The Beeson community had requested retention of this structure but only councils or constituted charities could adopt such and therefore it was AGREED the parish clerk would obtain the Terms and Conditions and if acceptable proceed to adopt such.

#### **7. PORTALOOS AT HALLSANDS**

The proposed site for the installation of portaloos during the summer period had been checked and it was AGREED that the time and length of installation would be from Saturday 15<sup>th</sup> July till Saturday 2<sup>nd</sup> September to be provided by Event Hire at a cost of £540 plus VAT.

#### **8. ANNUAL PARISH MEETING**

It was AGREED that the Annual Parish Meeting would be held on Tuesday 23<sup>rd</sup> May at 6.30p.m with a talk by Charles Staniland his £50.00 travel and outgoings covered. The OSSR consultation board would also be put up for further consultation.

## **9. CAR PARK TARIFFS**

A request for feedback from District Council Car Parks with regard to parking within Stokenham Parish was reviewed and it was AGREED that no changes were required to the fee structure although the inability for the machine to take pounds coins was causing a problem.

## **10. REPORTS**

Various issues raised around the parish:

- With regard to the Joint Local Plan Cllr Ansell wondered whether the forecasting for houses had they factored early retirement in and whether people might be older considering moving down or not even make it!

### **CLERK'S REPORT**

- Beesands play area had not been re-opened due to the apparatus and surfacing being unsustainable in this area. Dist Cllr Brazil had added his concerns to this outcome and asked for works to go ahead to get the play area open. The response was that the play area could be moved within the village if anyone could provide a site but it could not go up behind the public toilets until the septic tank was removed. Such removal would be dependent upon South West Water and funding to do so or the alternative given by District was it could be moved to Beesands Cellars end by the car park and the land transferred to parish council. Parish Council did not agree to this as it was an unsuitable site too far away from the facilities and Dist Cllr Brazil was to liaise with District Officers.
- Locality Officer noted that the bench on the Dartmouth bus route by the stop below the Church had collapsed. John Baverstock had installed this as a community gesture when he was District Council so he was advised and explained the plaque read "This seat was presented by the Stokenham Parish and South Hams District Councils to commemorate the Diamond Jubilee of H.M. Queen Elizabeth 2. June 2012". At present no replacement was considered.
- John Baverstock had emailed to advise that in order to modernise records for Stokenham Church he intended to create an Excel file of all graves within the churchyard (around entries 1500). This together with a similar file would indicate the locations of graves by an identifying number and he asked if Parish Council could accommodate such information as a Church page on their website. Parish Council was delighted to assist with this community information.
- Sally Richards from Environment Agency had requested that Parish Council add volunteers at Torcross to the current Agreement already in place for Beesands Flood Gate closure. Those on the list for Beesands were Nigel Heath, Richard Foss and Anita Hutchings and names for Torcross were Gail Stubbs, Bill Fletcher Neal and Clair Martin. Parish council agreed and the names would be noted on the parish council insurance policy as trained and authorised so to do once the new agreement was drawn up to run until 2027.
- Rob Johnson District Engineer was to check Grist Mill and also Helmers drainage fund and provide feedback but he believed the development drainage had been completed.
- Parish Council was reminded that the Exercise Tiger Memorial would be held on Sunday 30<sup>th</sup> April 2017 at 2.30p.m. at the tank car park. All advised they were welcome to attend.
- Community Reinvestment Project Fund grants had been confirmed with offers for signature. The parish hall committee had been advised to speak to planning and ensure that if their works were permitted development they obtained this in writing before parish council applied for the monies. Devon County Footpath Warden would organise the

works and ask for invoices to be sent to parish council along with payment from County for their portion.

- Noted that an Orchard Link grant event would be held on Sunday 23<sup>rd</sup> April at Beeson Orchard to include a Bio Blitz and sign woodcarving workshop. All were advised they were welcome to take part.
- It was noted that the Chillington Hall lease stated that no signs or signboards of hanging sign fascia advertisement placard or lettering (unless previously approved) by the Council as landlord could be placed on the building.

## **11. FINANCE AND CHEQUES**

Balances were provided and the below were noted and agreed for transfer or signature:

Current £1769.30

Instant savers (1) £51384.41

Instant savers (2) £4929.45

Transferred £2000.00

Received:

Orchard Link reimbursement for part monies paid out for Orchard Grant £165.08

Devon County Council – Highway grant for maintenance £1000

SHDC – Precept and Government Grant £19181.50

### ***Payments to be made in April:***

Orchard Link – Booked hire of oak press for 14<sup>th</sup> October 2017 £45.00

Fine Shine – Cleaning of road signs £432.00

Wages £1095.45

HMRC £186.20

DCC Pension Fund – Pension payment £337.46

## **12. NEXT MEETING**

The next full parish council meeting would be the Annual meeting to be held on Thursday 18<sup>th</sup> May 2017. A planning committee would be held on the first Thursday in May 2017 if applications were received that required consideration before next full council. Both meetings commenced at 7.30p.m. in the Wesley Smith Room at Stokenham Parish Hall.

Meeting finished: 22.34p.m.

Signed ..... Chairman      Dated: 18<sup>th</sup> May 2017.