

**STOKENHAM PARISH COUNCIL
MINUTES OF THE MEETING
HELD ON 13TH DECEMBER 2018 IN THE
STOKENHAM PARISH HALL**

PRESENT:**COUNCILLORS:****P. SPENCE (Chairman)****T. LYNN****MRS T DAYMENT****L. COWLEY****J. BRAZIL (District and County Councillor)****C. ROGERS****A. GOODMAN****J. ANSELL****MRS. S. ROWLAND****Also in attendance:****Clerk – Mrs G. Claydon****APOLOGIES:****COUNCILLORS:****J. CHURTON****MRS P. DOUST****J. GARDNER****W. FLETCHER-NEAL**

The Chairman advised that Richard Jackson had resigned and there was a vacancy on the parish council to be filled by co-option due to the close proximity of the next elections.

1. 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. **Cllrs Rogers and Goodman declared an interest in the application for Anchorage knowing the neighbour.**

2. MINUTES

The Minutes of the:

(a) Parish council meeting dated 15th November 2018

(b) Planning Committee meeting none held December 2018

were tabled and after consideration approved and duly signed as a true and correct record.

3. OPEN FORUM

Mick Garrod of Green Park Way wished to raise points on the drainage for the proposed development of 64 houses behind Green Park Way. The site was classified as a critical drainage area which it had not been before. Swales were removed but there was no reason. The bunded wall on the northern boundary was not mentioned and was originally for protection of overland flows from the north. He was concerned about the soakaways 0.8m depth when the geographical survey in 2016 stated there was a clay head of 0.7 to 1.6m and soakaways would be on top of the clay head and infiltration not at an optimum.

On the map it indicated sideways infiltration for soakaways would go into property boundaries. Of the Tree Preservation Order (TPO) 944 there was no mention of this within the application although it did in some cases state tree roots would be protected. All the trees on this site were now under formal TPO.

The Chairman explained that parish council had read all papers provided and seen everything online so they were aware and understood if people did not wish to raise anything further.

Deborah Kingsland noted with regard to the soakaways Devon County was concerned that boreholes should be further away as there were so many soakaways on site. There was one large soakaway outside 17 Green Park Way (GPW) and this was 5 metres deep and they appeared to have checked those less than 3 metre. With only one test conducted in October, that a resident was aware of, being done she thought these tests were to be done once a month. Whether a year commenced from October or not how could a decision be made on one test. The Chairman asked if that point had been made in the resident's objection as he advised that all these points should be made direct to District Planning on their planning portal. This was an essential point that should be made. Deborah Kingsland continued that a 500 page document was not online and she did not feel this lack of information from the start was acceptable. The Chairman sympathised and noted that it was a policy of District Council to replace paper documents with only online documents from next year but Stokenham Parish Council was against this because without paper documents no one would have known this was missing from the website. Mick Garrod agreed that an incomplete application on the planning website was wasting peoples' time and not democratic consultation. Those present felt that if all the documents were not available the application should not be accepted or published. This application was received 9th October and the Drainage document made available on the 3rd December but then renewed again 7th December. Still there were some papers that were not available such as the police report that could not be opened or was blank. Also it was felt that the access online prejudiced those who had no computer.

Bob Johnson raised the matter of the redirection of the village spring. The OPA illustrated an entirely different route and it now would make a dramatic difference in volume and speed of flow which could cause problems to existing pipework within the roads/properties along this waterway. As this was a change from the original OPA he felt the whole application should be reviewed as a new application. He continued that the Environment Agency or Devon County were required to give their authority for a seal of approval in redirecting a natural spring. He noted that the estate roads were not to be adopted by Highways but remain private roads and he suggested that this was totally irresponsible as within 10 years they would undoubtedly become potholed and residents would not contribute. It was his assertion that they must be adopted and this was only developers cutting corners on their costs. The Chairman understood, from a letter on the planning portal, that Devon County were advising that even if not adopted they wanted the installation of roads up to their standard although they would not adopt them.

Cllr Rogers enquired if there was any project management committee organised but was advised no not as yet. Further discussion took place as to why if the road were up to the standard for County they were not adopting and there was a suspicion it was to do with cost. A point raised were there any other large estates in the UK not adopted. The Chairman noted he had read that there was increasingly more Section 38. Cty Cllr Brazil advised that highways did not necessarily want to adopt and take responsibility of newly created highways and that selling a house with an adopted highway was worth more. On the sale of these properties there would be a management fee that the purchaser would be covenanted to contribute towards ongoing. The Chairman said developers left a trail of un-adopted roads around the country as an annual leasehold payment and perhaps this was an ongoing income but this was just his speculation. Mr and Mrs Harlington noted the extra heights in the properties proposed. If a management company was formed and people moved in half of what happened affected people off the site such as trees being chopped down, drainage etc so was there any provision that there would be local representation on a management group. The question of shared responsibility was interesting and not altogether an uncomplicated problem which needed to be worked out very carefully as to how this estate was managed and there was no detail what the proposal was. A reasonable person would say there must be some fairly water tight arrangement made for the joint responsibilities on boundary areas.

However experience showed that the vendor would vest one share in each house on a long lease and hold an AGM to decide how much to spend each year and this would be quite straight forward. It was agreed this appeared similar to the Helmers estate and a point which each resident respondent should make in their individual submissions.

Mick Garrod noted that the pedestrian access was misleading because the maps illustrated two big red arrows on each side but within writing it stated this was to be a footpath which they would include steps down onto Coleridge Lane as an informal footpath. The state of Coleridge Lane as was was dangerous. The Chairman felt a misunderstanding had been created. The original access to Port and Coleridge Lanes were included but ruled out by highways as out of the question. They had retained a connection to a footpath that came across from the other side as an informal connection so it was confused. Mick Garrod continued that the developer inferred it was easy access into the village. Cllr Rogers explained that in the first informal talks parish council stated they wanted to see more footpaths in the area and encouraged a nice flow across the road around the back of Grist Mill. The Chairman noted that one criterion for sustainability was the substitution of vehicular access by pedestrians and cyclist so parish council was keen for these and gradually this was ground down to being impossible because of objections from highways. Bob Johnson asked if the highway was un-adopted in theory could it be private and then public access restricted but it was felt probably not. Raising the issue of light pollution a resident could not see anything mentioned about street lighting and as the highway was un-adopted it would be up to the developer and/or management committee. Reference to Acorn comments with regard to dark skies and light pollution it was felt that there would low level lighting and no big street lights but all these things were important issues that residents should include in responses. Mick Garrod noted that on one road entrance there would be no lighting and all internal private roads developer low level lighting. This did not stop people having obtrusive lighting on their garages so a condition should be suggested. The Chairman continued his message that at this stage all were now where the community must work on what they were willing to accept, understanding that this current application was so vastly different to the original OPA. The developer had brought things in and changed others so some felt why accept and not request a completely new application. The Chairman explained that Outline gave permission for up to 65 houses on this site with very few restrictions with all matters to be agreed at Reserved Matters. This application was now at RM and that left these matters to be decided. Dist Cllr Brazil agreed this point and supported the Chairman that there was no point in residents saying they did not want 65 houses as all had fought that battle and lost. Everyone should now decide where they wanted the houses and what they would look like together with lighting, roads and materials. It was a more pragmatic way to proceed to say how one can mitigate this development in the best way possible. Mick Garrod stated that what appeared to be happening was that Acorn wanted to build 64 houses but there were certain things they were not doing because they wanted space, i.e. removal of swale as it would have had to go another 6 – 8m in from boundary. Deborah Kingsland asked if District Council had all this information on line had they not read it. Dist Cllr Brazil noted that as it stood District would currently refuse this application on the highways comments. The developer would then mitigate these concerns. South West Water stated they would not allow any surface water in their drains so water must be contained on site and he did not feel this was possible and the developers could not get over this. The Chairman noted views but they must all be made forcefully to District planning. Peter Reed understood peoples' personal concerns but asked if and when this development took place could there be an enforced restricted access to the site and Coleridge Lane not used for builders' traffic. This was noted.

DISTRICT AND COUNTY COUNCILLOR'S REPORT

Cllr Brazil gave comments and input into the meeting during various items as referred to.

4. PLANNING & PLANNING MATTERS

The applications below were received for consideration and such observations forwarded to District Council

- 1304/18/FUL READVERTISEMENT (Revised Plans and Description) Construction of garage and associated access and turning area Stokeley Manor, Kiln Lane, Stokenham – No objection.
- 3193/18/ARM READVERTISEMENT (Additional plan available to view online) Reserved Matters application for the development of 64no. dwellings (including market, affordable and retirement housing), landscaping and associated works following grant of Outline consent 0771/16/OPA Land to the rear of Green Park Way Chillington, TQ7 2HY – Objection as below.

SURFACE WATER DRAINAGE – OBJECTION

- The latest drainage plan had open swales, ditches, and attenuation ponds replaced by a highly engineered combination of individual (plot-specific) and common soakaways that should – if designed, installed and maintained correctly – allow surface water to disperse safely and prevent such from leaving the site. This may represent an improvement on the previous scheme, but there were a number of potential weak points that must be addressed before parish council could support such:

Potential weak points

- Some of the soakaways were less than the prescribed 5m from the proposed road.
- They relied for their effectiveness on an impermeable membrane on the southern side of each soakaway to prevent the re-emergence of groundwater downslope.
- Parish Council noted from the GEO Consulting Flood Risk report of January 2016 that the entire site was covered by an impermeable clay head that ranged in depth from 0.7 to 1.6m. The base of each soakaway must therefore be located below the clay head – it was not clear from the detailed drawings that they would be.
- The entire system required regular maintenance to preserve its function – if any part of it failed, existing dwellings in Green Park Way to the south would be exposed to the risk of flooding. This was too critical a matter to be left to the discretion of individual householders.
- Stokenham Parish Council recommended that a condition be placed on the developers to establish a management company and delegate the ongoing maintenance of the drainage system to them. Parish Council also wished to see the developer take out an insurance bond against which Green Park Way residents could make a claim in the event of localised or systemic failure of the drainage system leading to flooding of their properties.

Further questions

- The stone wall on the northwest boundary of the site that according to the OPA was to be bunded (built up with an earth bank) to stop overland water flow from above had been omitted from the latest plan. Parish Council questioned what the reason for this was, and how the northern boundary would be protected from excess surface water flows.
- The developers' plans for dealing with the natural spring in the northwest corner of the site had caused some alarm. It was proposed to re-route the flow of water east along the top of the site and then south following the line of trees, in a sealed buried pipe – so far, so good.
- But then the plan appeared to suggest this flow be reconnected to the existing small-diameter butt-jointed clay pipe culvert that ran along foundations and through gardens in Green Park Way and Cotmore Way.
- This pipework was the cause of frequent flooding – additional flows directed by the proposed re-routing would simply overload it and cause further misery. Parish Council had taken soundings from residents of properties along the culvert's route and believed that the overwhelming majority were prepared to waive their riparian rights in return for

the reassurance of knowing that the flows through this culvert would no longer present a flood risk.

- Stokenham Parish Council recommended that developers be conditioned to pipe this water directly off the site to the existing surface water drain at the junction of Green Park Way or, failing that, to the nearest watercourse.
- One other item of concern was the revelation that the roads were to remain private, that is, not be adopted by the Highways Authority. Given the challenges posed by drainage on this site, the close relationship between the public and private soakaways, and the likelihood of a private road falling into disrepair and thus contributing to an increased flood risk, Parish Council considered it highly desirable that all roads on the development be adopted.

OVERLOOKING & LOSS OF PRIVACY – OBJECTION

- Documentation supporting the Outline Application made much of the need to treat the site's southern boundary with great sensitivity. Among other things:
- Objections from the AONB were assuaged by a commitment to restrict ridge heights to 8.5m.
- The Design & Access Statement promised that dwellings on the boundary would be “limited to 1.5 storeys” and “set back from the boundary as much as possible” to ensure overlooking was minimized.
- But maximum ridge height had risen to 8.95m above ground level throughout the development
- The ridge heights on plots 1, 2 and 3 had been raised 1.67m above that shown on the Outline Application, leading to a potential loss of privacy for residents of Spindles, Aintree, and 15 Green Park Way.
- Parish Council wished to see the original ridge heights reinstated
- The 6-8m “transition zone” between the new and existing houses that the OPA promised “would screen out low-level views” of the houses and their gardens by means of a double row of high hedge and smaller trees ha been dramatically reduced in places.
- The worst example was to the north of 47 and 49 Green Park Way, where the building line extended to within 2 metres of the southern site boundary.
- Here, the proposed new dwellings (on plots 44-47) were sited on a platform 2.65m above existing ground level.
- The combined effect of this additional elevation, the natural slope, and the extended ridge height left the residents of 47 and 49 Green Park Way facing a gable wall rising some 13 metres, or 43 feet, above their living room floor level just beyond the end of their gardens.
- This was a clear instance of overbearing and visually intrusive design.
- To make matters worse, the developers had failed to plot the living room extension at 47 Green Park Way, meaning the distance to the new building was even shorter than shown on their plans.
- The large tree shown at the bottom of the garden of No 47 that might otherwise mitigate the overlooking was felled several years back.
- Stokenham Parish Council recommended that plots 46 and 47 were removed from the development.

MINIMIZING DISTURBANCE TO NEIGHBOURS DURING CONSTRUCTION

- Chillington residents had historically had to suffer more than their fair share of disturbance caused by inconsiderate developers over the past decade. Inherent problems had been exacerbated by construction management plans that were poor, or non-existent. If they did exist, they were widely disregarded and rarely enforced.
- The Planning Authority must impose watertight Construction Management Plan on the developers and their contractors.

- This should be designed to minimize disturbance, annoyance, and loss of amenity to residents of the existing estate, and the rest of the village
- It must preserve the right of all villagers to peaceful enjoyment of their homes

Measures should include:

- Strict management of volume of construction traffic flows
- Strict management of the volume and timing of construction noise
- Strict controls on parking
- Stokenham Parish Council recommended that a detailed photographic survey of the approach roads and pavements be carried out before construction started, so that a record of their prior condition could be produced to aid the developers in reinstatement of the highways once the building work had come to an end.

Cllr Rogers asked Dist Cllr Brazil if this proposal would definitely go to District Management committee for discussion. He responded that if refused it would not go but if approved he would call for such as there were so many issues to be raised. Due to the responses to the drainage issues if experts under wrote their statements there was nothing district could do to turn the application down. However by going to committee Dist Cllr Brazil could have the expert comments Minuted as saying everything was fine and thus it would be their negligence. If plots 46 and 47 were not removed Dist Cllr Brazil would raise this. He would also contact the County drainage expert about these points of concern.

It was noted that the Section 106 Agreement detailed no figures for offsite play and clarity on this would be requested.

Cllrs Rogers and Goodman left the meeting whilst the following application was considered.

- 3321/18/FUL Erection of a replacement single dwelling (Renewal of planning application in respect of consent 53/2267/15/F) The Cove Guest House, Torcross – Objection as this proposal no longer complied with policy168 of the NPPF.
- 3594/18/HHO Householder application for proposed installation of LPG tank Lower Kern, Kernborough – No objection.
- 3716/18/HHO Householder application for provision of an extension, double garage, window alterations and landscaping Spindrift, Holmleigh Road, Torcross – No objection.
- 3792/18/FUL Provision of field shelter Stokeley Lodge, Kiln Lane, Stokenham
- Stokeley – Support.
- 3829/18/HHO Householder application for single storey front extension (Resubmission of 3388/18/HHO) Anchorage, Beesands - Objection. There would be a clear loss of privacy due to overlooking together with light pollution due to the increase of glass. It was felt that the flank walls should be solid as otherwise it was unneighbourly to have such serious overlooking to both neighbours. A room shown as ‘study’ on the plans had been incorporated into existing without change of use and this should be raised with enforcement.

WORKS TO TREES IN A CONSERVATION AREA

- 3514/18/TCA T1: Bay - crown height reduction by 6 metres, planted as shrub but grown too large, blocking light to neighbouring property, impeding growth of apple tree Lee Cottage, Stokenham – District had already Approved.

PLANNING CORRESPONDENCE

Contact had been received as District planning had a report that up to 25% of the info that they send out in the post was not appearing on their website. A recent issue with a 400 page drainage document for an application in Chillington took a long time to get indexed, mainly because of the size of the document and the need to redact a number of signatures embedded within it, but that

was the only issue that District was aware of. Stokenham Parish Council was being asked if they noted documents missing from the web often. They acknowledged there were times when letters of representation could take a day or two more than the three working day target they aimed for but that was normally only when they had some very contentious applications generating high level of letters.

5. HIGHWAY GRASS CUTTING

The offer of a contribution of £519 from County to continue to carry out the visibility cuts on their behalf in 2019/20 was AGREED.

6. ENDURANCE LIFE EVENT

The input to this agenda item within this meeting was provided by Flinn (No surname provided) during Open Forum following the Green Park Way deliberation and decision being brought forward.

Flinn was in attendance on behalf of Endurance Life. He noted that previously careless parking had caused problems around the parish. Last year Endurance Life took a radical look at this and had intended to move the event to Prawle with parking mats etc installed in a rented field. However the rain came down and it poured continually and it was not feasible to park anyone in there. They implemented a contingency plan to include Blackpool Sands with a shuttle bus and people walking from car parks at Torcross to Beesands. It was his assertion that this had worked really well so they were repeating the same as last year. He knew that they were losing some spaces from the memorial car park but there were a few little changes to include a better policy of coloured car parking tickets so when entrants were on return buses they knew where they were heading. They would use Blackpool Sands, Stretgate, and the Memorial car park together with other places. On being asked he advised there would be 10 cars at Blackpool Sands. There was also the area opposite the Start Bay Inn which was pay and display together with Stokenham church car park and around Stokenham Village.

It was noted by parish council that the Start Bay Caravan site had hard standing and was closed during this period. Also the group could approach farmers for space. Flinn explained that Endurance life did 13 events around the country during the year with Dorset being their biggest. They were using shuttle buses and ensuring where entrants parked. Widdicombe Farm belonging to the Rainey's was also mentioned and parish council asked that a review of other areas be considered to leave the car parks and roads unaffected.

The 2019 proposals for parking were advised as above and Flinn AGREED to research and respond to parish council with his findings.

7. PLAY EQUIPMENT

The quote for safety works to be carried out to the play equipment in line with the PI Inspection report was AGREED for Mortis to proceed at a cost of £ .

8. COMMUNITIES TOGETHER FUND

Consideration of a project to be put forward to this fund by noon 14th December was AGREED as a contribution to the play equipment proposed for Stokenham Village Green.

9. REPORTS

- Cllr Lynn – Dunstone Cross had builders rubbish dumped in a gateway and it was suggested that Enforcement be asked to attend the site and check its usage.
- Cllr Ansell – Attended the Slapton Field Study Centre annual forum. As usual the speakers were good but there were not so many attendees. Items covered were outdoor education, Dr Jak McCarroll presenting with regard to the shingle ridge, water quality and changing flora.

- Cllr Cowley – Attended the County and District budget meeting with Cllr Spence for an upbeat presentation on how County and District were maintaining services on less budget. There would be a transition from paper to electronic copies of planning applications the following year and Cllr Cowley felt the problem would be that although district planning was really just transferring paper to electronic it was looking at how it packaged the data. They were copying documents and putting them online and making mistakes but they were not making things more efficient. Half the parishes had bad broadband so how could parishes do their job. Having a projector and screen at parish council meetings did not assist reviewing and understanding larger documents.
- Cllr Spence – Noted he had raised the issue of planning applications at the end of the budget meeting. The CEO stated there was evidence from around the country that this format was satisfactory. He continued however that there was confusion between publishing and making information available. Each planning application should come together in the same place, right size and right way up and if they did this consideration would not be a problem. He suggested and all agreed this was not democratic local scrutiny. Receiving documents electronically would mean that parish council would not know, from recent experience of lack of information for Green Park Way, if they had only received a few pages of a drainage document or other unless they had sight of the paper copy. Only physical receipt showed what was missing. The police report could not be opened and often 2 or 3 plans were missing from online applications or the site plan was not there because there was no tick box indication of what should be available. All that showed were rows of ‘pdfs’ and the user could not tell one documents from the other!

With regard to South Hams public conveniences District had not made a decision as yet and might still consider subsidising the ones at Beesands from the beach huts but the message was get used to the idea of no money. District Council was going to spend £10million to build a hotel and be a company for it to be leased. The returns suggested were awful at 0.8 p 1.5%. It was also asked whether a budget hotel in Kingsbridge was needed. The CEO advised all would get a better refuse service with more road side collection of glass, plastics etc. Dist Cllr Brazil commented in the meeting that District could not run in-house waste collection and yet they felt they had the in-house expertise to invest in hotels and other projects. Dist Cllr Brazil also stated that the Beesands beach huts should not go ahead unless District had the agreement of parish council and why should Stokenham Parish Council run a toilet on the coastal path with no support. There should be no planning permission in an AONB, on the Heritage Coast and in a flood zone but their life expectancy was 25 years. District Council should look into this project again. Chris Brook said the decision on toilet closure was nothing to do with him. Dist Cllr Brazil stated it was quite clear what District Council was doing as it was the same as Batson, Salcombe and they were trying to close the toilets by the back door. The officers stated this was District strategy that they were employing. A hotel could be seen as good for tourism and footfall but closing toilets along a coastal path was not. Dist Cllr Brazil noted the forthcoming Executive Committee and the papers contained therein and question the content of the Section 106s. He was advised by the Chairman and Clerk that they had tried to access these papers in advance but they were privileged blocked documents.

- Cllr Goodman – Highlighted the Parish Council arranged drop in days at Chillington Methodist Chapel and congratulated this.
- Cllr Rogers – Advised of the cleaned buddles and that he was going into fields and unblocking drains with landowner’s permission. The County Highways lengthsman had been coming out all the time and were going around Start etc. He had spoken with one operative from Newton Abbot who were referring to his iPad and going around with a stick. They appeared to scrape out the front and put a stick in 6 inches and that was all. Asked why they were not going in fields they said they are not allowed to go inside. Cty Cllr Brazil took note of this statement. Cllr Rogers was going up to Marber Cross as the landowner had approved and he was also attending Coleridge as the Darkes had agreed to a trench into their field and then come spring

the landowners would dig out the gateway fully so any run off went into their field. Cty Cllr Brazil had a meeting with Meg Booth Head of Highways – the pothole regime in East Devon was if something was just not quite a safety issue they would not mend it in 7 days but will do so within a month. She also talked about the Road Warden Scheme but they also had the Highways Enhancement Fund.

- Cllr Brazil advised that with regard to the structure above Torcross on the coast path District Council was going militant on whose responsibility it was and going to court. He asked if the beach below was used and Cllr Rogers noted that the structure was pretty secure. It was a brick building but well wedged into the crevice and would only be going down if there was a huge storm and nobody would be on the beach at the time. Engineers had looked at it.

CLERK'S REPORT

- County Highways had provided a template and paper to print the Torcross Promenade permits on. These permits had run out earlier in the year so those who approached the parish clerk could now renew them.
- A resident at Old Cider Press asked if parish council was aware of any progress re extension of fibre or superfast broadband within Stokenham parish as Mill Farm, the Corn Mill and Mill Court properties (7 of them) were still on restrictive speeds circa 6mgps.
- Due to financial pressures Devon County decided to defer their Highway Conference this year.

10. FINANCE AND CHEQUES

Balances were provided for October and the below transactions were approved:

Current £439.32

Savings (1) £96,895.86

Savings (2) £00.01

Received: Nil

Payments in December

HMRC – Tax and NI £178.32

DCC – Pension £348.66

Wages – December £1109.10

Chillington Methodist Church – Hire of Hall for Green Park Way Planning £97.50

SLCC – Membership subs £123.50

Charles Rogers Building Contractor – Permissive path cuts £144.00

L. Cowley – Travel to Development Management meetings £48.60

Cheques: None

11. NEXT MEETING

A planning committee would be held on the first Thursday in January if plans that could not await full council were received. The next full council would be on 17th January 2019. Meetings commenced at 7.30p.m. in the Wesley Smith Room at Stokenham Parish Hall.

Meeting finished: 9.20p.m.

Signed Chairman Dated: 17th January 2019.