

**STOKENHAM PARISH COUNCIL
MINUTES OF THE MEETING
HELD ON 18TH APRIL 2019 IN THE
STOKENHAM PARISH HALL**

PRESENT:**COUNCILLORS:****P. SPENCE (Chairman)****T. LYNN****MRS. S. ROWLAND****L. COWLEY****J. GARDNER****MISS G. ADDISON****J. BRAZIL (District and County Councillor)****Also in attendance:****Clerk – Mrs G. Claydon****MRS P. DOUST****A. GOODMAN****J. ANSELL****J. CHURTON****C. ROGERS****APOLOGIES:****COUNCILLORS:****W. FLETCHER-NEAL****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. None received.

2. MINUTES

The Minutes of the:

(a) Parish council meeting dated 21st March 2019

(b) Planning Committee meeting none held April 2019

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

3. OPEN FORUM

Seven members of the public were in attendance to speak on the Green Park Way planning application. Alyson Cadd-Harlington advised that her overriding issue was the height and her problem was that she could not get any answers from the developers or planning authority. She had asked both for more detail but had been ignored so had written to Helen Montgomery at County as residents needed this information to make an informed response and she felt they were being ignored as the community. Mr Sly had recently moved into 29 Green Park Way and had noticed on revised plans that he now had a tank or drainage system behind the property that was previously behind 17 Green Park Way. He had also sent letters but not heard back and asked whether there was any process that could be followed to obtain details. Chris Evans of 17 Green Park Way had experienced the same problem in that they were getting no information back thus being ignored on their thoughts and questions and they seemed not to exist in the dialogue. She continued explaining that the houses proposed opposite their property would be floor to ceiling windows and one statement in the planning documents did state that the proposed buildings were not meant to overlook. However the ground and next floor of these properties would look straight in on them. It was noted within the meeting that there was a small building which was believed to be a pumping station but was a test hut so this would be going. Plot number of the house

overlooking them was 18. Another point noted was when the various plans were placed on top of each other it revealed that the planting was on top of cesspits and other such anomalies or misaligning of plotting was noticeable. Bob Johnson of 14 Green Park Way felt that in view of all the alterations and realignments should there not be a request from parish council that the application should be resubmission not just amendments. Andrew Harlington was concerned about the applicant building a hill and placing high properties on it in view of the overlooking aspect and questioned Human Rights and privacy issue advice. The Chairman noted that if civil issues occurred this needed to be taken up individually. Parish council could only make comments or objections on contravention of planning policies and so forth, but these other aspects were not a matter they were qualified to deal with. Mr Harlington noted that the online planning advice revealed nothing about privacy and human rights. The Chairman noted it was complex and his personal opinion was that in broad planning terms there were rights a person had to protect a householder from visually overbearing and intrusive design. Some objections had been raised by residents on this and should continue to be highlighted with the planning authority. Whether developers responded to this concern would only be seen when the local planning authority considered the application. All parish council could do was make sure that everything was brought to the planners attention and make sure these concerns were there in writing. Alyson Cadd-Harlington asked Dist Cllr Brazil why H2 (properties) were being raised above ground whereas all others were sunken and if there was a reason why the applicant was putting two storey houses on them.

The Chairman noted these were all entirely reasonable questions. Parish Council raised this in their first response to the planning authority raising concern for the houses abutting 47 and 49 but nothing had come back so it was now up to District Planning if this aspect was required and reasonable.

Dist Cllr Brazil noted that these questions given to the planning authority would be considered by the officer. The applicant states this is what we want to do and maybe the officer might think overlooking is too much so the architect will be asked. District Council as planning authority judges an application but cannot suggest what they want and ask for changes, if they disagree they can only refuse. Planners could not make the applicant give them an answer, it would only mean that lack of information or reason would just weigh against the application. He continued that he fully appreciated that some information was unclear but everyone had to accept that the planning officer could not enter into a running commentary as each officer would have around 40 different applications to dealing with. The officer report would summarise complaints such as drainage, overdevelopment, overlooking, and effect on the AONB and then provide any reasons that mitigate against this to arrive at a recommended decision. It was highlighted that there was continued misrepresentation in the plans such as distance from the Harlington's house shown to be more than actual on the ground. Parish Council would send a report in along with members of the public and the officer would come to a decision about support or objection and write a report which would then go to the local member (Cllr Brazil) to ask if he agreed. For an application of this size it would almost always go to committee so that the community could attend and speak. The Officer Report would go out 2 weeks ahead of the meeting with the District Planning Committee Agenda. As Highways and County Flood Team were still not happy and objecting he had never known planning officers to go against an authority recommendation for refusal. Bob Johnson was concerned that the applicant was trying to circumnavigate a statutory consultee in relation to the diversion of a watercourse. They were trying to describe the watercourse that traversed properties along Green Park Way as land drainage which was inaccurate as it was a village spring. In the 1900's it was the only watercourse available to the village. Pauline Johnson asked why, if parish council objected initially, this site got outline planning. The Chairman explained that whilst parish council was an important consultee they were not the decision makers

this was District as the Planning Authority. Bob Johnson also felt that Devon County now had a different stance to that which they expressed at the time of the outline planning application.

DISTRICT AND COUNTY COUNCILLOR'S REPORT

Cllr Brazil provided this report later in the meeting following consideration of the Green Park Way application and members of the public leaving the meeting. He advised that the applicant would be aware that if Highways and County Flood Team were objecting it was likely that the application would not go through and they would just go back to the drawing board. However he agreed with the Chairman that everyone must not get side tracked on drainage and overlooking issues and must keep an eye on light pollution and other community and wellbeing issues. He noted he had stated he would definitely want it in writing from the person who eventually signed this application off that if anything went wrong they/the authority were liable. The Chairman agreed he was heartened by Devon County input and response. A question was raised as to whether there had been consideration of a phased development to test the drainage and other issues but it was noted that this was out of any authority's hands and up to the applicant.

4. PLANNING & PLANNING MATTERS

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

- 3193/18/ARM READVERTISEMENT (Revised Plans Received) 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 – The Chairman commended residents for their well-informed stance on this application. Objection. Parish Council remained concerned on a number of issues that included drainage, overlooking and loss of privacy, light pollution and the reduction in screening from 6m to 2m along with the need to minimise nuisance to neighbours and the wider community during construction.

Parish Council endorsed concerns raised by Devon County flood management team in their letter of objection dated 8th January and looked forward to satisfactory resolution. It was noted that the Highways Authority had also objected and although the stated grounds for objection related to the insufficient detailed plans for pedestrian access at the northeast of the site they also raised concern regarding the effectiveness of the drainage strategy making reference to securing a bond through the APC process which would allow for the Option B drainage strategy to be implemented. Parish Council would be grateful for further information on the Option B and Bond.

There appeared no clarity on provision of a public footpath, as requested for pedestrian access, as it appeared to go in and out of plans. Therefore parish council would request that such provision be conditioned to be constructed within any planning approval.

With regard to overlooking and loss of privacy it was noted that with regard to AONB objections the ridge heights were restricted to 8.5m but maximums were currently 8.9m. Limiting of heights on boundaries and set back distances had therefore not been complied with as ridge heights on Plots 1, 2 and 3 were 1.67 above OPA. It was also a concern that screening had reduced from 6m to 2m.

Parish Council received a sketch plan, from a resident, showing the effect of the elevated platform and noted the applicant's plans continued to misrepresent the location of 47 Green Park Way's living room extension and the large screening tree that no longer

existed. Parish Council had requested plots 46 and 47 be deleted from this scheme and were grateful that plot 46 was removed, but the effect remained.

Parish Council requested that the Planning Authority condition and enforce the reasonable construction management requests made previously by them and endorsed the sensible suggestions made by Mr Harlington on behalf of the Green Park Way Association.

It was advised by a resident that the watercourse designation was being referred to as 'land drainage' which was of concern and needed to be rectified as this was notably a historic watercourse that had fed the village.

Further information was required on what proposals there were for lighting which should be conditioned to be low lit with glimmer/guard screening.

Regarding water runoff it was felt that trying to hold water up a hill and then force it elsewhere by pumping and not utilising gravity would undoubtedly go wrong and any loose gravel on roads could go towards blocking any attenuation/drainage. As this was a more complicated drainage system precise clarification was required to be set out within any planning condition as to how it would be maintained in future, who was responsible and how it would be backed up.

All 7 members of the public left the meeting and Julian Brazil gave his report at this point.

- 0891/19/FUL Proposed demolition of existing garage, tack room and stables and erection of one, two bedroom dwelling Middlecombe Lodge, Beesands – Objection. This was situated in an AONB but there was no justification provided within this application to meet the criteria in the Joint Local Plan for locally driven need.
- 0951/19/FUL Creation of a permeable access track with associated hedge-banks and erection of semi-permanent field shelter Field At SX818406, Beesands - Objection as the application did not provide satisfactory details of why there was a reason to create a new "practical, multi-purpose space" in a field in an AONB.
- 1167/19/FUL Replacement of existing outdoor education centre with new outdoor education centre and owner's accommodation Underwood Discovery Centre, Beeson – Support as this was acknowledged a proven established National Award Winning local business. There was concern however that more details were required to ensure that the sewerage system had the correct capacity for this centre and parish council would ask that the planning officer be satisfied on this point. It was also felt that any approval should be strictly conditioned that should the business terminate now or in the future, for whatever reason, the living quarters remain ancillary to the business. This site sits outside the residential boundary and therefore the remit for this building should remain employment use only.

TREE PRESERVATION ORDER – SERVING OR NEW ORDER

- Ref: 1068776 parish of Stokenham No. 979 Tree Preservation Order 2019. Location Stokeley Barton Farm, Stokenham, TQ7 2SE. To consider the below reasons for District serving the Order;
 1. In the interests of preserving the significant public visual amenity benefits of the subject trees which presently serve to add extensive varied amenity benefits as a large, readily appreciable and mature wooded group to the wider sylvan setting of the area
 2. The woodland is significantly prominent from the highly used nearby wetland area, within the heritage coast and AONB. Given the ease of visibility it serves as a key landscape component of the setting adding extremely high levels of public visual amenity as an intrinsic element of these designations – Parish Council Supported.

PLANNING CORRESPONDENCE

4323/17/FUL Appeal reference: APP/K1128/W/19/3226094 Proposal: Demolition of existing two-bedroom chalet and construction of a two bedroom house The Crab Pot, Beesands. Appellants' name: Mr & Mrs Harris Appeal start date: 17th April 2019. Parish Council reiterated its objection to this application. The proposed dwelling replaced a garden building that had no recent history of (and doubtful permission for) residential occupation. The replacement was three times as big as the existing built footprint, and has nine times the floor area. It was to all intents and purposes a new development.

The proposed new development was situated on the seafront in Beesands, approximately 70 metres from Mean High Water mark, in an area that was increasingly vulnerable to coastal flooding as a result of climate change. The South Devon and Dorset Coastal Management Plan (Halcrow, 2011) predicted that, as the shingle ridge at Beesands beach rolled back landwards, *"it will become increasingly difficult to continue to provide sustainable defence to all parts of the village."*

The NPPF (2019, Paragraph 155) says that *"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future),"* and goes on to mandate that *"where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."*

Leaving aside the issue of whether this new development was "necessary", the applicants had not shown how it would be made safe from the effects of coastal flooding for its lifetime, estimated conservatively at 100 years. The application should therefore be refused.

5. CONTRACT

It was AGREED to approve the updated contract for the Clerk, including the minor revisions, to align with recent legislation and current changes.

6. HIGHWAY DRAINAGE

Cllr Rogers provided an update on areas cleared and consideration was given to options for a programme of future works during financial year 2019-2020. It was advised that since Skanska had taken over they were going around and cleaning the fronts of the ditches and the drains were working due to the parish leading on sorting out any others that were blocked. Marber Cross, Ridge Cross, Beeson Pool, Island Farm, Tanpits Lane and other flood areas were sorted so this was money well spent. Some areas that needed further attention were at Hallsands and Kellaton but a request was raised for any input of other problems around the parish. It was AGREED that the parish contractor needed continued use of the Community Enhancement Fund with possible matched funding to enhance the highway areas.

Cllr Brazil remained as the above item was brought forward and taken after planning and then he left the meeting.

7. FLORA SURVEY

It was AGREED to give a grant to cover the cost of provision of a flora survey to be carried out in Chillington Woods at a cost of £50 to pick out invasive species to be dealt with in future projects.

8. PORTALOOS

Further quotations had been requested with regard to provision for portaloos at Hallsands and it was AGREED to request Brandons to a cost of £445. It was suggested that an honesty box be placed for users to contribute towards this parish cost.

9. REPORTS

- Cllr Gardner – Asked about providing broadband within the parish hall for councillors to use during meetings and was advised that this had been discussed at the previous meeting. He offered to arrange, and it was agreed, for someone from the Royal Town Planning Institute to provide training and updating for parish council as independent to District Council and this would also be offered around to adjacent parish councils.
- Cllr Churton – Enquired about the Seaweed Farm update. He noted that Western Power had been through Bickerton surveying and were proposing to raise power lines over the road and would need to install masts on 200 year old cottages. Currently lines ran on poles and now they were saying they were not high enough. It was noted that utilities had rights to carry out such works and this was not within the parish council remit. There had been reports of waste bins not being emptied again in certain places but it was felt this was due to the changeover of contractor and would be ironed out. There had been damage to a farmer's wall in Bickerton again due to a larger truck trying to get through and leaving the damage without anyone getting the registration number.
- Cllr Ansell – Had attended the Conservation Forum along with Cllr Miss Addison wherein they had mentioned the Seaweed Farm. They were in favour of this project looking to the pilot to assist with other marine information. The main theme had been about algae blooms and red tides which were duly explained. Also there had been a volunteer Pacific oyster group set up to remove non-native species and this had been carried out over in Salcombe.
- Cllr Miss Addison – Added that the volunteer group went along Snapes coast and had collected hundreds of oysters which were bigger than the natural ones. Oyster farming had been suspended due to the algae bloom because oysters could harbour toxins. The AONB Management Plan was pending agreement but would run from 2019 – 2024. In order to access this document online it was important to type in these dates to obtain the correct version. Everyone was being urged to look at the plan because the first annex addressed planning and would assist responses to future planning applications. Those considering planning applications were also advised to scrutinise developments in their areas that were less than 10 properties as below this threshold septic tanks and other such environmental considerations were not being checked. Various streams were bad for nitrates and phosphates including the one at Frogmore. The Plymouth National Marine Park was being asked to include Salcombe and Kingsbridge as the intention was to get the protection to extend further. Celebrate Start Bay was moving back this year to Slapton Field Centre and would be held on 4th August.
- Cllr Mrs Doust – Had heard from Florence Rew and her son Reg that they had given permission for play equipment to be placed on the Village Green. There remained the insurance to deal with and this was in hand. The parish bus shelters had been painted and subject to Cllr Ansell being available to assist and dispose of the materials the Kellaton one would be removed.
- Cllr Rogers – All the footpaths were in good order with gates and signs as far as he was aware but if anyone noted anything please let him know and he could arrange for County maintenance. The Permissive Footpath at Torcross might need top dressing to iron out the dips which would catch water and this perhaps needed consideration for next winter.

CLERK'S REPORT

- All those who had completed nomination forms, to stand as parish councillors, had been elected with one space remaining to be offered for co-option after the 2nd May 2019. There would however be a District Council election for the one contested space covering Stokenham Parish.

- Historic England had advised that they had awarded Listed Building Status to the Stokenham War Memorial that sits in the grounds of the Church of St. Michael & All Angels, Stokenham. List Entry Number 1463241.
- Letter received from Seafarers UK requesting communities to Fly the Red Ensign for Merchant Navy Day' on 3rd September.
- Dates possible for the Annual Parish Meeting celebration of the Permissive Path were 7th, 14th, 28th or 29th May. Contact would need to be made with the Permissive Path signatories, along with the parish voluntary organisation representatives, to invite them to celebrate its success.
- Invite for the Chairman and guest to attend Dartmouth Town Council 75th D Day Commemoration Service on 6th June had been received.

10. FINANCE AND CHEQUES

Balances were provided, and the below transactions were approved:

Current £720.06

Savings (1) £97,904.82

Received:

CCA Contribution to tank installation £500.00

SHDC - Half Yearly Precept payment £21300.00

Payments made

HMRC – Tax and NI £271.92

DCC – Pension £416.86

Wages – April plus back pay £1283.93

Orchard Link – Annual Subscription till March 2020 £12.00

DALC – Annual Subscription till March 2020 £476.94

Play Inspection – Operation Inspection March £60.00

Cheques: None

11. NEXT MEETING

A planning committee would not be held on the first Thursday in April due to the elections being held. The next full council would be the Annual Meeting on 16th May 2019. Meetings commence at 7.30p.m. in the Wesley Smith Room at Stokenham Parish Hall.

Meeting finished: 9.30p.m.

Signed Chairman Dated: 16th May 2019.