

ABBOTSKERSWELL PARISH COUNCIL

**Minutes of the Parish Council Meeting Held Monday 27th October 2014 at
Village Hall, Abbotskerswell
Meeting commenced at 7.00pm**

Present Cllr K Eales (Chair), Cllr Mrs J Kniveton (Vice-Chair) – from item 2b, Cllr Mrs W Grierson, Cllr B Chambers, Cllr K Farrelly, Cllr Mrs M Colclough, Cllr R Whiffin, C Cllr A Dewhurst.

In Attendance 4 Members of the Public, Margaret Crompton (Allotments), Janice Alexander (CCD) Rural Housing Enabler.

Apologies for Absence Cllr D McNee, D Cllr D Smith, Mr John Lewis (Tree Warden)

Declarations of interest

Before the meeting began Chairman – Cllr K Eales asked if item 4b in Matters arising - TDC Local plan can be moved to a part 2 of the meeting - all Cllrs in agreement with this.

Janice Alexander, CCD Rural Housing Enabler, reported to the meeting that the final version of the Housing Needs Survey had been circulated to Cllrs. The need for homes stands at 6 affordable homes over the next 6 years, currently 3 in need and 3 more with a need within the next 5 years, This need will be considered by the PC and will be brought into and considered in the Neighbourhood Plan. All households in need meet the criteria, forms were sent to all households in the Parish and the response rate was 35% with 72% who answered said they would be in favour of a small development of affordable housing, a possible interest expressed in self build affordable. Cllrs were in agreement that they were all happy with the results of the survey. Janice confirmed that the survey is acceptable to TDC planners when looking at applications for affordable homes in the Parish. Proposed by Cllr Mrs W Grierson and seconded by Cllr Mrs M Colclough that the Parish Council adopt the housing survey, all in agreement.

- 1) Minutes of the Parish Council Meeting – Monday 29th September 2014.
Minutes of the Planning Meeting – Wednesday 15th October 2014.

The above minutes have been distributed and read - proposed by Cllr R Whiffin & seconded by Cllr Mrs W Grierson with all in agreement and duly signed by the Chairman – Cllr K Eales.

2) Public Time (Limited to 15 Minutes)

- a) Police Report – nothing to report.

- b) Local plan challenge - Do the Parish Council consider the advice they have been given to be accurate and how much will be the total cost? Chairman – Cllr K Eales confirmed there is a reasonable chance of success and this has been confirmed by the QC, but in any legal case there is always a chance the challenge will fail. In the event of win or lose, either the Parish Council or TDC could go to appeal. If it then goes to European Courts the cost is picked up by the British Government. Costs – money has already been paid to get the case to the Planning Court. The fund raising has been successful so far and if it continues we believe that there should be sufficient money to cover the hearing in London. There is a case currently underway at Churston which is very similar regarding bats and the South Hams SAC. The result of this should be confirmed before the end of November.
- c) E-mail from Parishioner regards raising extra money to fund the legal costs by raising the precept. Chairman Cllr K Eales confirmed that at present enough money has been raised to fund the challenge but after the decision in court, if it goes to appeal, this may need extra funding. This matter will be reviewed in January 2015 when setting next year's precept.

3) Planning Applications & Decisions

Applications received from Teignbridge District Council –

- a) Application no 14/03040/FUL – Mr A Black – The Beacon, Priory Road – Single storey garage and a new disabled ramp system in garden. No objections – proposed by Cllr R Whiffin and seconded by Cllr B Chambers with all in agreement.
- b) Application no 14/02802/MAJ – Linden Homes (South West) Ltd – Land at Manor Road – Outline application for up to 53 new dwellings with approval sought for means of access. Standing orders suspended – points raised by Parishioners –
 - 1) Question of the viability of building on the field in question, the field was used as a dumping ground for old cider apple waste.
 - 2) Does the application vary from the one shown in the exhibition? Cllrs confirmed that the only variation is the access to the site. 53 dwellings proposed with 13 being affordable and 3 self builds.

Standing orders reinstated.

Cllr Mrs M Colclough reported as follows: The application does not fit with the Local plan – Page 48 – WE5, and Page 33 – S21 Villages. The housing needs survey states 6 homes needed over the next 5 years and the Linden Homes application states 16 homes affordable. Public space proposed in the application – who will look after this if the development is completed. Passing places proposed in Manor Road would change the character of a country lane and also removal of the hedgerow would disrupt bat flyways. 53 homes is too many for the Village and not needed after the Housing Needs Survey. Concerns regards water run-off and the village would increase homes by 9% a housing development tagged onto the side of the village would not improve its character.

Proposed that the Parish Council object to this application proposed by Cllr R Whiffin & seconded by Cllr Mrs W Grierson with all in agreement, the wording of objection to be as follows -

**Application no 14/02802/MAJ –
Linden Homes (South West) Ltd – Land at Manor Road –
Outline application for up to 53 new dwellings with approval sought for means of access.**

Note: Policies referred to are from the adopted LOCAL PLAN (LP) May 2014.

At the Abbotskerswell Parish Council meeting held on 27th October, 2014, the Parish Council resolved to OBJECT to application **14/02802/MAJ** for the following reasons:-

- 1) **14/02802/MAJ** is outside the settlement limit for Abbotskerswell Village and is not supported by:
 - a. LP Policy S21 Villages
 - b. LP Policy S21A settlement Limits, and
 - c. the defined 1996 village envelope (LP Paragraph 2.51).
- 2) **Linden Homes** proposes a major development in open countryside and thus the application is against LP Policy S22 Countryside which states “development will be strictly managed”. The proposed housing numbers (53) is excessive development, not limited development (LP Paragraph 2.53).
- 3) **Linden Homes’** justification for the major development is as a rural exception site and supports its argument using the provision of 16 affordable houses.

Abbotskerswell Parish Council commissioned a Housing Needs Survey (HNS) as part of its Neighbourhood Planning process. This plan has been formally adopted by the Parish Council. This HNS concludes that there is an identified need for 6 affordable households (3 currently and 3 within 5 years). All these households meet a local connection criteria.

LP Policy WE5 Rural Exceptions limits the development of a site for affordable housing “to meet the needs of the local community”. The provision of 16 affordable houses is therefore excessive.

- 4) **Traffic congestion at Abbotskerswell Cross** is at a tipping point and with extra traffic flow along Manor Road the problems of egress from the village onto the A381 will only compound the problem.

Any traffic travelling from Newton Abbot and wishing to enter Abbotskerswell into Manor Road has to negotiate a hairpin bend. This already causes difficulties for cars, but causes even greater difficulties for lorries and buses.

An issue often raised to the Parish Council by the residents of Abbotskerswell is parking alongside the Old Cider Works and at the entrance to the village below Abbotskerswell Cross. This development will exacerbate traffic problems at this known pinch point for vehicles and pedestrians entering and using Manor Road. Frequently Manor Road at this point is totally blocked by heavy delivery vehicles as well as parked vehicles entering and using Manor Road.

- 5) **Biodiversity** is a major concern to the residents of Abbotskerswell.

The Parish Council has raised a legal challenge to the adoption of the TDC Local Plan. The position of the Parish Council is that this development sits under the same Greater Horseshoe Bat flyway as Policy NA3 Wolborough, and if the development site had been an allocation in the Local Plan, it would have attracted a red traffic light Habitats Regulations screening and consequently would have attracted also the need for a Bat Mitigation Strategy to be in place to deal with the risk of adverse impacts on the Greater Horseshoe Bat population.

In the absence of the bat mitigation strategy, the Parish Council is therefore incredibly alarmed that not only does this site not have a habitat screening, but it does not have an Appropriate Assessment and a Bat Mitigation Strategy. Therefore there is significant adverse risk arising to the Greater Horseshoe Bat population which forms part of the South Hams SAC as a result of this development.

The District Council, as the competent authority, cannot lawfully determine this application until it complies with the Habitats Directive.

- 6) **Abbotskerswell PC is appalled** by Linden Homes proposal in their Ecological Impact Assessment to translocate a legally protected “ ‘exceptional’ population of slow-worm and a ‘low’ population of grass snake “ out of an unmanaged and natural rural countryside site adjacent to the small settlement of Abbotskerswell to several sites adjacent to much larger urban developments in Torquay and seafront sites in the Unitary Authority of Torbay. These sites have a totally different micro-climate to that in Abbotskerswell.

Translocation is an act of faith and biodiversity offsetting must be considered high risk as well as a significant loss to Abbotskerswell Parish’s bio-diversity. Abbotskerswell wish to protect and enhance its biodiversity.

Decisions Received from Teignbridge District Council –

- a) Grant of Conditional Planning Permission – Application no 14/02542/LBC & 14/02541/FUL – Mr J Clowes – Mote Cottage, Abbotskerswell – Removal of rear porch and erection of new garden room.

4) Matters Arising

- a) Neighbourhood Plan – report from Chairman – Mr David Munden - The Group met and ask that the PC agree to a temporary delay in the Planning process. The Group feels that, due to the significance of the impending legal challenge to the proposed Wolborough development in the Local Plan and the planning application now made by Linden Homes for the Manor Road site, the impact that these will inevitably have on any views that the residents of the Parish have about the future of Abbotskerswell is significant. Consequently, until the outcome of both of these issues is clearer, major Neighbourhood Plan developments should be suspended. However, the Group will continue to work on the general questionnaire preparation stages in order to be ready to recommence fully when appropriate. The Parish council agreed to a suspension of Plan development for the moment.
- b) TDC Local Plan – to be discussed in Part 2 of the meeting.
- 1) Suggestion from Parishioner regards the precept – see public time.
- c) Local Housing Needs survey – this has now been adopted by the Parish Council.

- d) Village Broadband Speeds – e-mail circulated to Cllrs, it seems that the village is currently on different speeds in different areas, BT works are currently ongoing in the area.
- e) Dog Control Orders – Cllr Mrs J Kniveton reported that new on the spot fines for dog wardens have been introduced. Cllr B Chambers confirmed that new dog signs have been put up at the playing fields.
- f) Parish Rooms – Kettle replacement – Cllr B Chambers to purchase 2 kettles for replacement.
- g) Village Composting Scheme – It is considered that TDC may revise the scheme by next June 2015. This matter will be reconsidered again once the position becomes clearer.

5) Correspondence

- a) Rural Community Energy Fund – details e-mailed to Cllrs.

Matters not requiring discussion placed in the folder to be circulated

6) Main Agenda

- a) Report from County Cllr A Dewhirst – copy of report attached to the minutes.
- b) Report from District Cllr M Colclough & District Cllr D Smith. D Cllr D Smith reported - Not a lot to report except that the Police and Crime Commissioner, Tony Hogg, along with Inspector Mayhew attended full council on 13th October to field questions about the closure of the enquiry desks at Newton Abbot and Teignmouth Police stations. However I note that the desk at Newton Abbot is no longer manned but I believe there may be some potential for the public to use TDCs reception to report matters of concern - watch this space as they say.

D Cllr Mrs M Colclough reported 2 members have left conservative and became independent making them 13, a meeting was held and it was decided to stay as is until the forthcoming elections next year and the independents will be shadow portfolio holders and work with conservatives to run the council which will be most cost effective for Teignbridge Residents.

- c) Emergency Planning Committee report – Cllr Mrs J Kniveton reported that the orange card will be reprinted and they are looking for a sponsor for the cost of this which will be distributed throughout the village. Ice – warning sign considered at the top of the village, DCC usually grit the bus route only. Grit bins need to be checked.
- d) Abbotskerswell Recreation Association report – new courts being well used, light usage times have been queried by a Parishioner and the planning permission states that use is 8.30am to 9.30pm. Fireworks evening to be held on 5th November – gates open 5.30pm and fireworks at 7pm.
- e) Allotments Report – Mrs M Crompton – composting scheme could be something that would be good for the village. A group of people would be needed to take this forward and not necessarily the Parish Council, but a site will need to be found. Cllr Mrs J Kniveton will ask someone from Chagford composting scheme to come and speak to the Parish Council.
- f) P3 Report – Cllr B Chambers & Cllr D McNee attended the meeting at DNPA – Peter Brunt from DCC discussed the road warden scheme being operated by DCC for small repairs on minor roads, they can offer training for this. Peter may be someone who could come and talk to the PC in the future.
- g) Village Hall Report – Chairman - Cllr K Eales reported that the Annual Accounts are being produced. Toilet refurbishment has been completed and grant money received for toilet refurbishments has been used. The main hall floor being investigated in order to get another short mats bowls lane in The August garden show was a great success.
- h) Tree Warden Report – nothing to report.

- i) Reports from Parish Councillors of any external meetings or Committees.
 - 1) TALC.
 - 2) Parish Cluster meeting.
 - 3) Stoneycombe Liaison – Wednesday 29th October – scoping request has been put in and Cllrs will attend this meeting. DCC has asked for an environmental impact as the request is asking to quarry down to a depth of -40 below sea level which could have an effect on local water tables.
- j) DCC, Highways, Potholes, Roads & Hedges.
 - 1) Path to the rear of Corn Park Road – C Cllr A Dewhirst confirmed that DCC state it is not adopted. However DCC is still investigating why there is a street light in an un-adopted road and deciding if it is possible that it was adopted.
 - 2) Court grange lane resurfacing has now been done, Manor Road also done and Priory Road, but still many road surface issues in the village, eg the pavement outside model stores and entrance to the Vets access to the highway are breaking up.
- k) Primary School Report – Cllr Mrs M Colclough confirmed she had represented the PC at a tree planting ceremony.
- l) Volunteer Action Group – nothing to report.
- m) Abbtalk – Chairman – Cllr K Eales confirmed that several people have volunteered to help but one person is needed to drive this project forward and engage others to work together to produce a new magazine.
- n) Consultations – nothing to report.

7) Cheques for Signature/Finances

A copy of October 2014 financial report (Minute reference 114) has been distributed – Proposed by Cllr R Whiffin and seconded by Cllr B Chambers with all in agreement.

- 8) Any Items to go onto next Parish Council meeting Agenda.

9) ARA Draw October 2014

£50 – 524 – Mr J Sayers – 5 Lakeland
 £20 – 544 – Mr & Mrs Smith – 25 Abbotshill Park
 £5 – 577 – Mrs Henwood – 16 Odle Hill Grove
 £5 – 233 – Mrs F House – 7 Court Farm Barn
 £5 – 684 – Rob Arrow – Crystal Wood, Stonemans Hill
 £5 – 821 – B Dubash – The Pottery, Court Grange

There being no further business the meeting closed at 9.45pm. To be followed by a Part 2.

Next Parish Council Meeting Abbotskerswell Parish Rooms – Monday 24th November 2014 @ 7.30pm.

ANY MEMBER OF THE PUBLIC WHO HAS SPECIAL NEEDS AND REQUIRES A COPY OF THESE MINUTES SENT TO THEM – PLEASE CONTACT THE CLERK – 01364 654607