**MARLDON PARISH COUNCIL**

Minutes of the Council Meeting of Marldon Parish Council held on

Monday 9th April 2018 at 7.30pm

**PRESENT:** Cllr J T Pennington – Chairman, Cllr S Veasey – Vice-Chairman, Cllr J A Clarke , Cllr M Oliphant, Cllr G Page, Cllr F Palk, Cllr D Sutton,

Cllr R Thorpe and Cllr D G Webber.

**ALSO PRESENT:** 10 members of the public, and Clerk to the Parish Council, Mrs T J T Rowe.

Before the meeting started members of the public had the opportunity to air any concerns and ask questions, which would be noted by members and if necessary raised during the meeting.

A lady reported flooding in the road between Widend and the turning to Barton Pines on the Totnes Road. The buddle hole needed to be cleared as new tarmac had made the flooding worse; Cllr Oliphant had reported this to Devon County Highways.

Mr Douglas McClarron from Little Acres, Westerland reported water outside his property gateway in Smallwell Lane/Farthing Lane from the field opposite. Cllr Veasey told the meeting that the channel under the road and the blocked gulleys needed cleaning. The Clerk would contact the Environment agency to report this.

Mr Stuart Oetegenn from Higher Compton Barton told the meeting that he appreciated the efforts made by members of the Parish Council concerning issues raised by the Otter Nurseries planning application but he still wished to raise three main concerns.

1. Surface water flooding – the current proposed system for dealing with rain water when the system reached capacity was to jettison excess water on fields adjoining Compton Barton. A recent site meeting with the owner had discussed other plans but Mr Oetegenn asked the Parish Council to push for drainage alterations.
2. Noise – Mr Oetegenn asked that a condition be added that the cafe removed on the south elevation should not be allowed to be added at a later date.
3. Traffic – the road at the junction of Moles Lane and the Marldon Road, especially coming down from Gallows Gate would not take the volume or size of traffic that the application would produce. There was nothing in the transport strategy to address this. The road needed widening in the Torbay Council section and the plans were being considered by South Hams District Council; there needed to be consultation with both authorities.

Cllr Pennington would check with the planning officer Wendy Ormsby when this application would be considered by South Hams District Council Development Control Committee.

**1. (04.18) APOLOGIES**.

County Cllr J Hawkins and Cllr R Joinson. The meeting noted with sadness the resignation of Cllr Joinson after a total of 23 years service; Cllr Pennington would write to Cllr Joinson to thank him on behalf of the Parish Council.

**2. (04.18) DECLARATIONS OF INTEREST**.

There were none.

**3. (04.18) APPROVAL OF MINUTES** – 12th March 2018 meeting.

The minutes of the Parish Council meeting held on 12th March 2018 were proposed by Cllr S Veasey and seconded by Cllr F Palk and signed by the Chairman as a true record.

*Cllr Page arrived at 7.40pm*

**4. (04.18) MATTERS ARISING**.

a) **Village Hall Council joint meeting re room booking**.

A joint meeting had been arranged, through the Chairman, for 26th April 2018 at 7.30pm at the Village Hall.

b) **Dog Bin Compton**

The new dog bin was still awaited.

c) **Speed Reduction**

There was still no reply from the office of the Police and Crime Commissioner for the South West.

d) **Oak Tree at Peter’s Field**

Cllr Page told the meeting that this matter was in hand and an application would be made.

e) **Cemetery Extension at St John the Baptist Church, Marldon.**

Cllr Veasey had spoken to the church warden Stephanie Webb and a reply was awaited from the Parochial Church Council.

f) **Play Equipment at Tor Field**

Cllr Veasey had repaired the basketball backing board.

g) **South Hams Special Area of Conservation (S.A.C.)**

Cllr Pennington told the meeting that the Special Area of Conservation had been approved by the District Council Executive and Full Council and would go out for consultation from 16th April 2018. Cllr Pennington proposed, Cllr Clarke seconded and it was unanimously agreed that Marldon Parish Council was in favour of the formation of the S.A.C.

h) **0029/18/FUL The Bramblings, Kiln Road, Marldon (revised application)**

Cllr Pennington reported that subsequent to the Parish Council meeting on 12th March 2018 he had sent a letter to the Planning officer Lucy Hill (copied to the Chief Planning Officer Patrick Whymer and Cllr Steer the Chair of the District Council Planning Committee), requesting answers to the questions that he had previously raised on this application.

1. Had a site meeting been called
2. Had Devon County Council Highways been contacted concerning the 7ftwide unmade track way access to the site
3. Had the Fire and Ambulance Services been contacted concerning the lack of access
4. The owner of Marcom had not received a letter from the Planning Authority and as owner of the access should have been contacted under Part B of the application process
5. This application should take into account that Marldon was one of the 16 South Hams parishes included in the S.A.C.

Cllr Pennington proposed and Cllr Clarke seconded that a letter be sent to the Planning officer Lucy Hall and the South Hams District Council Development Control Committee stating “Marldon Parish Council, at the Council Meeting on 9th April 2018, further considered the above planning application which the Parish Council recommended for refusal at the Parish Council meeting 12th March 2018.

In addition to the many reasons conveyed to you for refusal please ensure that the Parish Council yet again considers that you take into take into account: -

that Marldon is named as one of the 16 South Hams Parishes in the “South Hams Special Area of Conservation (SAC)” which was supported by the South Hams Executive” at the meeting of the 15th March and subsequently ratified at the South Hams Full Council meeting on the 29th March. It is a European site designated for the population of greater horseshoe bats and it is a “statutory obligation as to whether a proposed development would have a significant impact on the South Hams SAC”.

On the health and public safety grounds Marldon Parish Council require confirmation that both the fire service and the ambulance service have been consulted for their opinions on the suitability of the 7ft wide unmade track alongside a steep sided disused quarry as the proposed access to the building site planning application”.

**5. (04.18) POLICE MATTERS**.

There was no police report.

**6. (04.18) BUSINESS AT DISCRETION OF THE CHAIR.**

At the request of the Chairman agenda item 15 was brought forward.

Cllr Pennington asked members to consider several dates for the Annual Parish Meeting. It was proposed by Cllr Veasey and seconded by Cllr Thorp that the Annual Parish meeting be held on Tuesday 22nd May 2018 at the Village Hall. Cllr Pennington would invite the District Council’s Chief Planning Officer Patrick Whymer to attend.

**7. (04.18) FINANCE.**

The following payments were approved:-

**Payments- Main a/c:**  £

Clerk – Mrs T Rowe net salary March 2018 296.55 Expenses – Mrs T Rowe - March - Photocopier paper 4.99

Photocopier Ink 17.99

Office Allowance March 2018 12.00 331.53

Clerk PAYE to HMRC 74.20

South Hams District Council – Payroll Services 120.00

Dartington Parish Council – TRAYE administration 150.00

Marldon Cricket Club – Jubilee Meadow 480.50

Society of Local Council Clerks 69.00

T.R.A.Y.E. group – grant agreed at March meeting 1,000.00

Vision ICT - for website 150.00

**BANK ACCOUNTS as at 29th March 2018**

Main Account: £23,048.10

P3 Account: £564.21

Environment Account : £580.38

NS&I Investment Account Balance at 31.12.2017: £21,018.72

(gross interest p.a. for 2017 =£98.58)

Total Balance held by Marldon Parish Council £45,211.41

The Clerk advised the meeting that the addition of signatories on the NS&I savings account would require a resolution of the Parish Council. Following a ballot of members it was resolved that Cllrs Pennington, Veasey and Page would be added as signatories of the Parish Council’s NS&I savings account.

**8. (04.18)**  **REPORTS:**

**District Council.**

Cllr Pennington reported on the South Hams Council Overview and Scrutiny Panel of 22nd March 2018 dealing with a report by the Chief Planning Officer Patrick Whymer. Cllr Pennington had congratulated Mr Whymer on the report which concerned Development Management Pre-Application Advice. Cllr Pennington précised the report for the meeting.

1. There were 2 main areas to be changed:-
   1. Interaction with Council Members and Town and Parish Councils.
   2. The publication of both pre-application submissions and the Councils’ response.
2. Effective pre-application engagement with developers, applicants and local communities.
3. Encourage developers / applicants to ENGAGE with the local community before submitting formal planning applications.
4. Communities have a key role in identifying issues and opportunities. The Local Planning Authority will allow communities to express their thoughts and opinions.
5. Members of the public, planning agents and architects can book face to face appointments at Follaton House or by telephone.
6. Meeting to take place within 4 weeks from the date of the pre-app with full response within 6 weeks of pre-app.
7. Ward members to receive weekly list of new pre-application enquiries. Ward members will be told when pre-application meetings have been arranged and can attend.
8. Pre-application process and interaction between developers, applicants, local communities and the LPA will allow communities to express thoughts and opinions on scale, nature and form of development to scale.
9. Core planning principle in the National Planning Policy Framework should empower local people to shape their surroundings.
10. Where an application may have a community impact it is recommended that the applicants attend a Parish Council meeting.

Cllr Pennington had requested that a copy of the full document be sent to all Parish Councils and the Clerk would send this out to all Councillors when received.

Cllr Pennington proposed and it was seconded by Cllr Veasey that the Parish Council write to Patrick Whymer stating that it had considered the pre-application advice and approved this and wished that it be implemented as quickly as possible.

**M.E.G.**

Marldon Environmental Group Report

Work carried out this month: March 2018

14th March:

No work was carried out due to bad weather.

21st March:

No work was carried out due to bad weather.

28th March:

Three members went to footpath 5 to repair a broken sign post and to do some trimming of branches damaged by bad weather. One member litter picked around the village.

7th April:

Four members went to footpath 22 and laid two tons of gravel to the Nether Meadow end of the path following a complaint from a member of the public about slippery conditions. A dangerously low tree branch growing across the path was also removed opening up the access.

Steve Holley spent the day clearing vegetation from the Vicarage Hill bank to Pembroke Park. When this bank had been completed the trees would be inspected and, if deemed liable to endanger the pavement or road traffic, a plan of action would be drawn up to have them cut back, either by Steve Holley or MEG or by a tree specialist, if necessary.

This month 18 hours of voluntary work was completed. Cllr Pennington thanked MEG for their hard work on behalf of the Parish.

**9. (04.18)**  **NEIGHBOURHOOD PLANNING.**

There was nothing to report.

**10. (04.18) PLANNING.**

**0528/18/HHO** - Householder application for loft conversion with front and rear dormers – **17 Belfield Way, Marldon.**

**Recommend Approval.**

**0156/18/HHO** - Householder application for side extension, loft conversion and provision of new off-road parking area – **19 Belfield Way, Marldon.**

**Recommend Approval.**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **0772/18/TPO** - T3: Monterey Cypress - deadwood removal, remove branches damaged by storm - **Green Westerland House, Road from Marldon Cross to Roots, Westerland, Marldon.**  **Recommend Approval.**  **3951/17/FUL** – READVERTISEMENT (Revised Plans received) Application for 10no. New dwellings and retention of existing office building – **Tor Hill Quarry, Ipplepen Road, Marldon.**  **Recommend Approval.**   |  |  | | --- | --- | | **1025/18/TPO** - T1: Field Maple – Fell, remove, implicated in subsidence claim, set between surrounding properties, limited wider landscape value as screened by surrounding larger trees and adjacent properties; due to nature of immediate area (steep bank down to water course providing little available space and suitable planting environment/medium) existing tree coverage is not considered expedient to carry out replacement planting - | | |  |  | | **19 Nether Meadow, Marldon.**  **Recommend Approval subject to the Tree Officer report.**  **0976/18/AGR** - Application for prior notification of agricultural or forestry development - proposed building –  **Upper Channel View, Ipplepen Road Marldon TQ3 1SE.**  **Recommend Refusal on the grounds that insufficient information has been provided, the size of the site does not warrant such a large building and the land is not used for agricultural use.**  Following the meeting the District Council advised that the application had been withdrawn as the land was less than 5 hectares and could not therefore be considered under an agricultural use application. |  | |

**2062/17/FUL** – Expansion and redevelopment of existing established garden centre and nursery incorporating the removal of existing polytunnels/greenhouses, construction of new garden centre building, retention of existing buildings for nursery/horticultural use, associated car parking and landscaping – **Styles Garden Leisure Centre, Moles Lane, Marldon.**

**Recommend Approval with conditions:-**

1) That Otter Nurseries install additional surface water storage in the field belonging to Edward Foale adjacent to the South East Corner of the new site. This would provide a backup to the already planned system in event of failure or the system being full. *Jacqui Taylor from Otter Nurseries had confirmed that discussions were on-going and that detailed proposals would be forthcoming.*

2) That Otter Nurseries install soundproofing to the ground level delivery/storage areas. *Jacqui Taylor asked that the Parish Council request this formally and confirmed she was happy to amend the plans accordingly.*

3) That a condition be put in place to ensure that the Cafe Terrace area on the South end of the building which has been removed from the plans after consultation, cannot be reintroduced at a later date.

4) That the junction of Moles Lane/Marldon Road and the stretch of Moles Lane from the junction to the Overbridge be assessed for suitability by Torbay Highways, in particular with regard to its safe use by HGV traffic delivering to the new Garden Centre. *Jacqui Taylor had confirmed that discussions were on-going with Torbay Council.*

5) That the Application be considered by the full Development Management Committee and a full Development Management Committee site visit takes place as part of the consideration process.

Cllr Pennington thanked Cllrs Oliphant and Palk for liaising with residents and Otter Nurseries on this application.

White Rock Development

Cllr Palk reported on a meeting held at Torbay Town Hall on 28th March to consider development at White Rock. This would take place on 70 acres of land opposite the existing housing and would include 380 houses, a two stage school, a public house and 3 miles of road.

All the Councils attending had opposed this outline application which was supported by Torbay. Concerns were raised regarding traffic, lack of infrastructure and lack of employment for the residents of the new housing.

It was proposed by Cllr Veasey and seconded by Cllr Clarke that Marldon Parish Council oppose this development on these grounds.

**11. (04.18) GENERAL DATA PROTECTION REGULATIONS (GDPR).**

The Clerk advised the meeting that the Parish Council need to appoint a Data Protection Officer in order to implement the new GDPR legislation which would come into force on 25th May 2018. The Clerk wished to attend GDPR training provided by the Devon Association of Local Councils on 19th April 2018.

It was proposed by Cllr Page and seconded by Cllr Sutton that the Clerk be appointed Data Protection Officer for Marldon Parish Council and attend training on 19th April 2018.

**12. (04.18) CORRESPONDENCE.**

**a)** Notification had been received from South Hams District Council of new planning regulations concerning “Permission in Principle”. Training would be provided by the District Council on 25th April 2018 at 1.30pm at Follaton House. The meeting agreed that Cllr Veasey would attend.

**b)** An email had been received from a resident suggesting that the Parish Council consider the purchase of a gritter following the recent bad weather. Cllr Page told the meeting that the Snow Warden Scheme would need to be revisited. The Clerk would pass contact details of the resident to Cllr Page and this matter would be added as an agenda item to the May Parish Council meeting.

**13. (04.18) LEISURE AND PUBLIC GROUNDS.**

Public Grounds Report from Cllr J Clarke:-

Cllr Clarke had attended a Steering Group Meeting of the Totnes Rural Area Youth Engagement Project on Monday 26th March at Rushbrook Youth Centre Totnes. Now TRAYE were a Charity, applications were going out to various sources to help fund this very vital project.

TRAYE were interviewing for another Youth Worker to help Kerry McCabe now that more villages were to be included. The outcome of the interviews was not yet known but Cllr Clarke would report on this to the next Parish Council meeting. Cllr Clarke hoped that they had received many applications and that Kerry McCabe, our Youth Worker, would be well supported.

Kerry McCabe had reported that the Marldon children who attend Youth Club once a month in the Committee Room of Village Hall were asking if they could go out on that week as well as they did on other occasions because they were so restricted in this room and unable to carry out any more vigorous activities, plus they had to be quiet due to the yoga class that took place above.

Taking the children out would mean more money for parents to pay out and therefore could mean that children from poorer families wouldn’t be able to afford to attend. As it was, Kerry McCabe has found it difficult to recruit new members due to the restrictions our Youth Club was facing.

Cllr Clarke felt that it was a disgrace that there was no “room at the inn” for our young Maldon residents. The children have had these restrictions now for the 2 years that TRAYE had been going.

Cllr Clarke told the meeting that it had been reported in the news recently that people were coming to the conclusion that we needed to encourage our young people to get out of their rooms and come together in Youth Clubs; social interaction was vital to their development.

Cllr Clarke hoped that the meeting with the Village Hall committee on 26th April would bring about more satisfactory arrangements, not just for the youth group but also for other village groups who struggled to acquire time in the Village Hall.

Cllr Clarke was extremely concerned that the Parish Council’s representative on the Village Hall Committee had felt it necessary to resign, due to the disagreements which had taken place over bookings at the Village Hall. It was hoped that this would be resolved to everyone’s satisfaction at the meeting planned for the 26th April.

**14. (04.18) HIGHWAYS AND MAINTENANCE.**

The following Highways matters were reported:-

The yellow and white lines around Cox’s Garage still needed to be repainted.

A pothole in the middle of the Totnes Road by the junction in Westerlands.

Potholes in the passing areas in Ipplepen Road.

A pothole in Kiln Road by the Horse mounting block.

Numerous potholes in Widdicombe Lane.

Flooding by Little Acres, Westerland outside the gateway in Smallwell Lane/Farthing Lane from the field opposite – Cllr Veasey would meet with the Environment Agency or Lisa Edmonds from Devon County Highways.

Lower Westerland still needed cleaning; Cllr Page would ask Stephen Holley to deal with this.

**15. (04.18) MATTERS UNDER REVIEW** - None.

**16. (04.18) DATE OF NEXT MEETING.**

Monday 14th May 2018 – Annual Parish Council Meeting.

**17. (04.18) CONFIDENTIAL MATTERS**. – None.

The meeting closed at 9.50 p.m.