

Minutes of Ashford Parish Council Meeting held on Thursday, 16 February 2017 in the Church Hall at 7.30pm.

Chaired by: Councillor G Holder	Clerked by: Sue Squire	
Present: Councillors J Bleach Mrs J Bosley G Holder V Lawson Mrs S Sampson J Szymankiewicz County Councillor Mrs C Chugg from <p align="center">Minute No. 119.1</p> District Councillor Mrs A Davis 13 Members of the public	Agenda: - Items raised by members of the public Apologies Declarations of Interest Approval of the Minutes of the Meeting held on 19/1/17 Reports Matters Arising Planning & Planning Correspondence Finance Correspondence Matters raised by Councillors / Clerk Date of next meeting	
		Action:
113.	Items raised by members of the public. The Chairman advised that any representations in connection with Planning Applications would be heard immediately before it was considered. 113.1 Enquiry regarding defibrillator training. It was advised that there had been two training sessions and Councillors acknowledged that new residents may have arrived since these were held and that other people may not have had an opportunity to attend. A demonstration on the use of the defibrillator would be given ahead of the June Parish Council meeting, on Thursday, 15 June 2017 at 7pm. 113.2 Update on the Long Lane Sign which had been damaged by a commercial vehicle. It is North Devon Council's policy to wait until there are 5 street name plate signs required before placing the order for replacements. 113.3 Email of objection to Planning Application 59288 - Outline Planning Application for erection of one open market dwelling at land off of Long Lane, Ashford.	Diary note to be made
114.	Apologies. Councillor Mrs B Sandwell, PCSO D Kingdon.	
115.	Declarations of Interest. Councillor Mrs Sampson. Prejudicial Interest in Minute No. 119.1 – Planning Application 59288 Outline Planning Application for erection of one open market dwelling at land off of Long Lane, Ashford as an adjacent landowner. Councillor Bleach. Prejudicial Interest in Minute No. 119.1 due to pre-determination – Planning Application 59288 Outline Planning Application for erection of one open market dwelling at land off of Long Lane, Ashford. Councillor Szymankiewicz – Prejudicial Interest in Minute No. 119.1 due to pre-determination – Planning Application 59288 Outline Planning Application for erection of one open market dwelling at land off of Long Lane, Ashford. Councillor Szymankiewicz informed the meeting he had checked the position with North Devon Council Monitoring Officer who had advised that both he and Councillor Bleach were entitled to express their opinions and move to the public gallery when the Application was deliberated.	
116.	Approval of the Minutes of the last meeting held on 19 January 2017. Approved and signed as a correct record.	

117.	<p>Reports.</p> <p>117.1 Police. When sending his apologies, PCSO Kingdon advised there were no crimes to report.</p> <p>117.2 County Councillor Mrs C Chugg.</p> <ul style="list-style-type: none"> ▪ Councillors at Devon County Council had agreed to increase the Council Tax Precept by 1.99% plus a further 3% to raise funds for adult social care ▪ A free lifestyle initiative 'One Small Step' had recently been launched ▪ Devolution consultation had commenced ▪ Additional funding had been allocated to repair potholes ▪ Councillor Mrs Chugg had grant funding available. <p>117.3 District Councillor Mrs A Davis. A written Report had been received and circulated which covered:</p> <ul style="list-style-type: none"> - Businesses invited to have their say about business rates - Invitation to view and comment on Leisure Centre plans <p>District Councillor Mrs Davis confirmed she had reported the blocked drains where representations were made at the January 2017 meeting.</p> <p>117.4 Councillor V Lawson. Defibrillator Check. All in order.</p>	
118.	<p>Matters Arising:</p> <p>118.1 Community Infrastructure Levy Consultation. Councillor Holder proposed that this Council did not submit a response. Seconded by Councillor Szymankiewicz and agreed.</p> <p>118.2 Code of Conduct Training. This would be delivered on 20 March 2017 in The Castle Centre, Barnstaple. This is the only training that will be given on that evening. Councillors Bleach and Szymankiewicz were booked to attend.</p> <p>118.3 Data Protection. The Data Protection Officer at North Devon Council is unable to attend the February or March Meetings. It is hoped that he can attend the meeting on 20 April and confirmation is awaited.</p> <p>118.4 Public Rights of Way Queries. A reply had been received from the DCC Public Rights of Way Officer as follows: With regard to the cuttings being left in the road, this is very common. Landowners have a responsibility to keep hedge growth and trees from obstructing the highway, as required by s154 of the Highways Act 1980. The removal of hedge cuttings could be seen as a requirement of s149 of the same act, which is the "Removal of things so deposited on highways as to be a nuisance..."</p> <p>This would need to be dealt with by the Neighbourhood Highway Officer (NHO) for the area, and whilst I know how many lanes I drive down that have hedge cuttings all over the place, I am not aware of us taking any action against landowners for this, though I may be wrong. If there are concerns about specific sections of road where there are a lot of cuttings, I would suggest contacting the NHO to investigate.</p> <p>It was noted that the contractor usually clears up afterwards.</p> <p>118.5 Community Councillor Grant for work on the Parish Council notice board and bus shelters. It was noted that this had been successful and an amount of £300 awarded from District Councillor Mrs A Davis' Community Councillor grant allocation. An e-card of thanks had been sent to District Councillor Mrs A Davis.</p> <p>118.6 Cyber Security Training. Councillor Bleach and the Parish Clerk attended this on 25/1/17. A written Report had been circulated to Councillors.</p>	
119.	<p>Planning & Planning Correspondence.</p> <p>119.1 The following Applications were considered:</p> <ul style="list-style-type: none"> • 59288 – Outline Planning Application for erection of one open market dwelling at land 	Clerk

off of Long Lane, Ashford.

A resident advised they were not present to object to the Application, but to suggest there is not enough information to make an appropriate informed decision. It would be easy to think that all the contentious issues on the Application have been resolved.

It was noted that the Application had been submitted as an Outline Application again.

Councillor Szymankiewicz pointed out that this is an exception site, meaning the only building that can take place has to provide affordable housing. This property does not meet the criteria, falls foul and should be refused for this reason. It was noted another Application on a plot in the village was refused at the Planning Meeting.

Councillor Holder spoke about the social housing element and recalled that the Planning Officer at the meeting suggested that it could be dealt with in that manner as the North side it would be removed.

It was also said there would be a full Planning Application in respect of the South site.

A member of the public stated that if the development proceeded, they would like the entrance to Long Lane from Strand Lane to have a No Entry sign to protect property and Councillor Holder suggested this was put in writing to North Devon Council.

It was noted there were no turning facilities to access the property from one side, concerns over sewage remained and there were the same objections to the drainage.

Councillor Szymankiewicz suggested that anyone with objections submit these to North Devon Council as previous representations are negated, this being a new plan.

Councillors then considered a response and felt that the representations given earlier by a member of the public adequately covered the feeling of Councillors and the public.

Councillor Holder proposed that the representations made earlier in its entirety was submitted to North Devon Council as the grounds to recommend refusal. Seconded by Councillor Lawson and agreed by those eligible to vote.

1. The Application has been submitted in outline form only and should not be considered. Planning policy guidelines require that Planning Applications in Conservation Areas, which this is, be submitted with sufficient detail to allow certain important determinations to be made. This would normally require a full Planning Application, which is normal policy in a Conservation Area.

One of the reasons that detail is required is so that the Conservation officer and others can make a proper determination, in accordance with their policy, that the proposed development will 'preserve or enhance the character or appearance' of the Conservation Area. Whilst development in Conservation Areas will not necessarily be prevented, the emphasis must be on 'the positive management of development so that the character of the area is safeguarded'.

It is suggested that these assessments cannot be made with only the sketchy detail provided in this Outline Application.

2. Among the many details missing from this Application is the design of the house itself. Its location and size is indicated, but there are no architectural details. To comply with the requirements in a Conservation Area, we would expect to see a house design that is sympathetic to neighbouring properties and to the character of the village as a whole. It is impossible for the Conservation Officer, or residents / Councillors of Ashford, to assess this from the drawings provided. The 'Design, Access and Supporting Statement' attached to the Application only provides assumptions with regard to buildings materials.

More details are required from the applicant so that it can be seen what the house will look like.

3. Another issue lacking detail is surface water drainage. This has always been a significant concern on this South site and remains so. The tall shillet bank that separates the site from Higher New Close Lane is continually leaching water, as residents can testify. This suggests that the natural porosity of the ground is very low.

The 'Flood Risk and Drainage Technical Note' attached to the Application, shows a surface water drainage scheme based entirely on assumptions for ground porosity. There has been no infiltration testing to support the many calculations.

Infiltration testing and an attenuation back up scheme was required by the DCC Flood and Coastal Risk Management Team for the previous iteration of this Planning Application. The latest alterations should not negate these requirements.

Also, the surface water drainage system in the technical note shows an attenuation system paired with a deep bore soakaway. There does not seem to be any overflow facility for the attenuation tank when it is full and the soakaway cannot cope.

Testing must be carried out to substantiate calculations before this Application is considered.

4. There is no reference to plans for the disposal of foul waste. It is assumed that septic tanks will be used as there are no main drains. In this case once again permeability tests will need to prove that the septic tank drain field will allow discharge from the septic tank to drain away into the ground, without causing a nuisance to adjacent properties by leaching out of the bank and into Higher New Close Lane.

5. There is still some concern regarding collapse of the bank separating the site from Higher New Close Lane. Whilst at present there is no construction work indicated along that Southern boundary, we need assurance that this will remain the case. In previous representations we have stated our concerns regarding the collapse of the bank should construction work destabilise it. Higher New Close Lane is the only access to the several properties along it.

6. Finally, the site being proposed for this development is on one of the only two remaining open spaces within Ashford's Conservation Area. At present, both these spaces are used for grazing sheep. Both are important to the character and appearance of the area and they help preserve Ashford's rural farming heritage.

The National Planning Policy Framework 2012, Para 133 says: - 'where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that there are substantial public benefits that outweigh the harm or loss'.

It is believed that this development does constitute 'substantial harm', but even if it is argued that the harm is less than 'substantial', Para 134 goes on to say: -

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal".

We cannot see the public benefits, but if there are any, they should be identified.

The Application should be refused because of insufficient detailed information.

Councillor Szymankiewicz advised that at the Planning Committee meeting, Councillors took great notice of Parish Council representations and felt this was a radical change from the past.

- **62288 – Erection of raised patio with glass balustrades together with erection of retaining wall at Allwynds, Ashford.**
It was resolved to recommend approval.

Any Planning Applications received after the Agenda was published. None.

	<p>119.2 Planning Correspondence: Planning Committee Meeting Notification in respect of Application 62296 – erection of 2 open market dwellings at land off Meadowside, Ashford. The Application was considered by the Planning Committee on Wednesday, 15 February 2017.</p> <p>Councillors Bleach and Szymankiewicz had attended and informed that the Application had been refused on the grounds of no provision for local / social needs.</p>																									
120.	<p>Finance.</p> <p>120.1 Balances. Nat West Current Account as at 20/01/17: £10.00 Nat West Business Reserve Account as at 10/2/17: £1,135.62</p> <p>120.2 The following payments were approved and authorised:</p> <table> <tr> <td>Mrs S Squire</td> <td>February Salary net of PAYE</td> <td>£82.71</td> <td></td> </tr> <tr> <td></td> <td>Contribution towards broadband</td> <td>£ 3.00</td> <td></td> </tr> <tr> <td></td> <td>Photocopying</td> <td>£10.70</td> <td></td> </tr> <tr> <td></td> <td>Shared contribution for petrol expenses when attending the cyber Security training in Exeter</td> <td>£1.50</td> <td>£97.91</td> </tr> <tr> <td>HMRC</td> <td>December PAYE</td> <td></td> <td>£20.60</td> </tr> <tr> <td>North Devon Council</td> <td>Recharge for election held on 8/9/16</td> <td>£949.98</td> <td></td> </tr> </table> <p><i>The Clerk has negotiated with North Devon Council that this amount can be paid in instalments over the next 6 months at a monthly amount of</i></p> <p style="text-align: right;">£158.33</p> <p>(5th payment)</p> <p>DALC New Councillors training, mileage, USB sticks, booklets £329.70</p> <p>£40 of this is reclaimable VAT. Cheques are being received from other Parishes in respect of the Councillors who attended (13 at £25 = £325 plus 15 booklets at £2 = £30. Total to be received by Ashford Parish Council £355 + the VAT of £40 = £395).</p> <p>120.3 Grass Cutting Contract Agreement. It was noted that the paperwork had been returned to DCC.</p> <p>120.4 Six monthly accounts to audit. The duplicate Bank Statement has been received and the Clerk is attending to the preparation of this.</p> <p>120.5 Parish Precept 2017/18. It was noted that the relevant forms have been submitted to North Devon Council.</p>	Mrs S Squire	February Salary net of PAYE	£82.71			Contribution towards broadband	£ 3.00			Photocopying	£10.70			Shared contribution for petrol expenses when attending the cyber Security training in Exeter	£1.50	£97.91	HMRC	December PAYE		£20.60	North Devon Council	Recharge for election held on 8/9/16	£949.98		<p>Clerk</p> <p>Ch.No.976 Ch.No.977</p> <p>Ch.No.978</p> <p>Ch.No.979</p>
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121.	<p>Correspondence. Notices and publications received were put on the table to see, read and go in the circulation bag.</p> <p>121.1 Law Link. Details of Combe Rail CIO's proposal for a modern light railway between Barnstaple and Braunton. District Councillor Mrs Davis suggested that the Chairs of Ashford and Heanton Parish Council meet to further discuss the proposal.</p> <p>121.2 DCC P3 Parish Paths Partnership. It was noted that the Clerk had submitted the summary of expenditure – April 2016 to March 2017.</p>	GH																								
122.	<p>Matters raised by Councillors /Clerk.</p> <p>122.1 Councillor Bleach advised that at the two Planning Committee meetings he had attended, there had been dialogue regarding a Neighbourhood Plan and how this held a lot of importance in decision making.</p> <p>Councillor Holder informed that Ashford had been classified as a rural development without a development boundary which could not be changed. All Planning Applications received by Ashford Parish Council would be considered on its merits.</p> <p>Councillor Szymankiewicz felt that the 5% limit was a reason for objection with this already having been used up.</p>																									

	<p>The Clerk read the Minute from a specially convened meeting on 9 April 2013 to consider Ashford Parish Council's response to the North Devon and Torridge Local Plan consultation, as follows:</p> <p>Rural Settlement Statistics – Councillors considered the statistics and noted that they should be amended to include a restaurant in Trelawneys Garden Centre</p> <p>Growth within the Parish Boundary – members discussed the various options open to them for growth targets and where the growth could best be located, after discussion they RESOLVED that a growth target of 5% was reasonable and that the development boundary should be amended to encompass the whole of the Ashford Parish Council area.</p> <p>It was further RESOLVED that it was in the interest of the Parish if site identification was done by those seeking to build a property rather than enforcing growth on predetermined sites</p> <p>It was noted during discussion that local needs and affordable housing needs were a key part of existing and draft local plan policies</p> <p>122.2 Councillor Lawson. A new seat, fresh bark and bulbs had been planted around the mini library.</p> <p>122.3 Councillor Mrs Bosley.</p> <ul style="list-style-type: none"> • The notice board clips were stiff but with help it had been possible to close the doors again. • On Mr Peter Heaton-Jones' MP website, there was a letter showing his actions in connection with support for North Devon District Hospital's services to remain in place. • Banners were once again fixed to the roadside fence of Wyevale Garden Centre. • A member of the public had used a drone that had been flown over private individuals gardens. <p>122.4 Councillor Mrs Sampson had noticed three lights were continually lit on the dual carriageway. She was advised to report this via the DCC interactive map.</p> <p>122.5 Councillor Holder had been informed by a member of the public that there may be more building works at Ashfield House as there was evidence of footings, concrete slabs, new fence and drainage pipes.</p>	<p>Clerk to inform Enforcement Dept</p> <p>Clerk to inform Enforcement Dept</p>
123.	<p>Date of next Meeting: Thursday, 16 March 2017 in the Church Hall at 7.30pm.</p> <p>The Meeting ended at 8.38pm.</p>	
<p>Summary of Decisions:</p> <ul style="list-style-type: none"> ➤ Minutes of 19 January 2017 ➤ No response to the Community Infrastructure Levy Consultation ➤ Planning ➤ Payments 		
<p>These Minutes are agreed by those present as being a true record.</p>		
<p>Signed: Chair of Ashford Parish Council:</p>	<p>Date:</p>	