

NORTH TAWTON TOWN COUNCIL

Town Clerk:
Rosalind Rice

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EX20 2EP
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Minutes of the Extraordinary Meeting of the North Tawton Town Council held at the Council Office on **Wednesday 21st October 2015** at **7.30 pm**.

Present: Cllr Mrs C Burrow (Chairman) Cllr M Fisher
Cllr K Hodge Cllr M Kennedy
Cllr I MacLeod Cllr Mrs K Tizard
Cllr Ms J Trehitt Cllr S Whiteley

Cllr Mrs L Watts, (Ward Member) was present.

8 members of the public were present.

1. **Apologies for Absence** – Apologies for absence were received from Cllr Mrs G Hoggins (personal), Cllr I Palmer (annual leave) and Cllr Mrs A Ponsford (work commitments).

The reasons for apologies were accepted.

2. **Declaration of Interest** – None were made at this stage.

3. **Planning Matters**

To consider the planning application received from West Devon Borough Council and to make recommendations.

The Chairman informed the Council that Mr Ben Dancer and Miss Anna Henderson-Smith had been invited to attend the meeting, but unfortunately due to other commitments both were unable to attend.

The Chairman also informed the Council that Mr Matt Loughrey-Robinson and Mr Brian Dufty from Wainhomes had been invited to attend but had declined.

The Clerk read out two representations that had been sent to West Devon Borough Council from Mr S Adams and Mr T Ratcliffe, both objecting to the proposal.

The Chairman asked members of the public if they had any questions/comments.

Mrs C Hughes made a couple of points, bearing in mind what Rebecca Black said when she attended a Neighbourhood Plan Group meeting recently, that even though you feel very negative you sometimes have got to turn things to the positive, whatever this Council decides and whatever recommendation it makes to West Devon I would like to suggest two things:

- moving the allotments further down into land that is beyond the boundary of the previously approved application, we had planning permission for 9 allotments, although it was only outline, they have now reduced it to 8, but if you add in 28 new units and you try and do a pro-rate calculation, it seems to me that there should be an extra 5 allotments, and given that we have been told by the Sales Representative at

Wainhomes, there is enormous interest in the allotments, I would like to see 20 allotments, if West Devon is minded to approve the application.

- if West Devon are minded to approve the application that we seek a Deed of Variation on the planning permission at the Wool Mill site, because I think this particular application for 28 units grew out of discussions between the Council and Wainhomes and looking a little bit at the Neighbourhood Plan as well, that the original idea was to move the 23 units from the Listed Building at the Wool Mill up to Bathway and then put the employment land down at the Wool Mill site. If that is the case then surely the current planning permission on the Wool Mill site for 62 units should be reduced by 28, that would be possible by a Deed of Variation. Mr Ben Dancer has been dealing with this application until the end of this week has said that because the two sites had not been linked so far by Section 106's that this has not been possible up to now. It seems to me that if West Devon Borough Council are minded to approve this application that surely this is the moment that there will be a new Section 106 Agreement on the Bathway site and there could be a Deed of Variation on the Wool Mill site.

Mrs J Williams stated that the development in the town seems to be very piecemeal, and does not give the Town Council or the Neighbourhood Plan Group the opportunity to consider the whole integrated development and developers appear to ignore infrastructure, car parks, schools, and a medical centre, etc. I would like to ask the Council to consider formally getting West Devon, if they can, to say that they will not only look at a Deed of Variation in order to link the Bathway and Wool Mill sites, but also that any future applications that are made for substantial development Section 106 agreements should be linked to other applications that are made of a similar nature, so that we have some sort of control in how we end up in 30 years times.

Mrs K Gregory said she would like to endorse the last speaker's remarks, she mentioned infrastructure; this has not been mentioned by the plan. How do we deal with infrastructure? Is it not time that it is considered? It seems to be piecemeal developments, 6 more here, 6 more there, where is the cohesion of the neighbourhood, or this town. We could address, albeit better later than never, the traffic situation, should it be one way? There must be a way of doing it? Plus some car parks are required in each street.

The Chairman stated that this is something that the Neighbourhood Plan Group is looking at.

Cllr M Kennedy asked for an explanation on a Deed of Variation.

Mrs J Williams explained what a Deed of Variation was "a Section 106 Agreement is a legal document which restricts or allows contributions, at the moment there is one Agreement for Bathway and one for the Woollen Mill, at present West Devon cannot look at the two separate Agreements as a factor for this application, because the Section 106's are not linked. A Deed of Variation could vary these obligations, but all parties have to agree". I feel that in the future all Section 106's agreements should be linked to developments over the next 30 years.

Mr R Knott stated he felt that Wainhomes had planned this all along, they have not really sold any houses yet, no one has moved in, now they have applied for permission for these 28 houses , what reasons have they given for coming in so quickly and do away with the employment land?

Mrs C Hughes felt that a meeting with Wainhomes should be arranged to discuss a Deed of Variation to the Section 106's.

A discussion took place between Councillors regarding the recent meeting held with Wainhomes when they admitted that they had no intention of building at the Wool Mill, that they were offering these 28 as a swap from the Wool Mill to Batheway, but would not rescind the planning permission for 28 at the Wool Mill because of their balance sheet. It was questioned what will happen to the land currently earmarked for the Medical Centre, Wainhomes have already stated that they know how many houses they could fit on that site.

Mrs C Hughes stated that she and Mrs Knott had a meeting at Wainhomes with Peter Crawford; Matt Loughrey-Robinson was not available. We talked about a Deed of Variation, we talked about moving the planning permission from the Wool Mill Listed Building, and he was "up for it", so the problem is you have developers saying one thing in one house and goodness knows what they say to West Devon, and to others, but he categorically said yes to that. We were both there; it was not just one of us. Therefore I feel we should push for a Deed of Variation.

Cllr I MacLeod asked for clarification on the current planning status of the Wool Mill. It was clarified that the current planning permission is for 62 units. Currently if Dartmoor Tweed wished to apply for grant funding to carry out a feasibility study they cannot because the site has planning permission for residential use. Wainhomes have indicated they will not rescind this. Wainhomes do have a 10 year option on the Wool Mill as well as other land owned by the Dunn family.

Mrs C Hughes asked the question on whether there have been any enquiries on the employment land at Batheway. We know of one enquiry, but Mr Crawford at Wainhomes said there had not been any enquiries.

Mrs L Watts (Ward Member) stated that the Section 106 Agreement wording is flawed.

Mr Ben Dancer admitted that if he had had control of the Section 106 Agreement at that time he would have worded it very differently.

The Clerk read out Clause 5 from the Section 106 Agreement

"Submit marketing strategies to the Council for written approval, prior to Occupation of the first Dwelling, and subsequently to market the Employment Site and Medical Centre Site in accordance with those strategies for a period of 5 years unless planning permission is granted for an alternative use at any time."

The Clerk stated that she had contacted Wainhomes and they expect the first occupation to be by the end of November/December.

Mrs Hughes stated that West Devon should be asking Wainhomes where are your marketing strategies.

Cllr Ms J Trewitt stated that at the meeting with Wainhomes they were very sceptical about the employment land because of their experiences elsewhere.

Mrs Hughes stated she felt that Wainhomes had paid lip service regarding the employment land and the medical site.

Cllr M Fisher stated that Rob Sekula from West Devon had stated they have changed the way they do Section 106 Agreements now to a slightly different style.

Mrs Hughes said the Town Council should try and persuade West Devon to tie the two Section 106's together with a Deed of Variation.

Cllr M Fisher understood that we had to consider this application on its own and not in conjunction with the Woollen Mill. Mrs J Williams agreed with Cllr Fisher, but if we could persuade West Devon to create a Deed of Variation which would link all of this development and future development then would have a chance of controlling development.

Mrs J Williams asked if it was possible to request from West Devon to insist that Wainhomes provide evidence of their marketing strategy for the employment land. The Clerk stated that an email has been sent asking for this information.

Mrs J Williams asked if the town would rather see employment land at Batheway or at the Wool Mill, and push for this swap that has been discussed.

Richard Knott asked if Wainhomes are under any obligation to provide employment land. The Chairman stated that it was part of the Section 106 Agreement. Cllr S Whiteley said that the same thing may happen to the land earmarked for the medical centre.

Mrs R Davies said she knew someone that enquired about the employment land but they could never get a straight answer from Wainhomes.

Richard Knott asked if planning permission is needed for the allotments that are now outside the red lined site area.

Mrs K Gregory felt that West Devon should be as interested as we are in the whole integration of North Tawton and how it will be planned for the future. The Chairman stated that is why getting our Neighbourhood Plan in place is so important.

Cllr L Watts, Ward Member, commented that she felt following the recent meeting with Wainhomes that they are very "blasé" about the whole thing, it seems they think they can just move this a bit further out, add this here and that there, and that as soon as they move into the next field towards De Bathe Cross then the flood gates would be open.

The Chairman thanked everyone for their comments.

3.1 00888/2015

Full planning application for 28 residential dwellings with associated roads, footways, parking, landscaping and drainage. Part previously approved application under reference 01037/2013

Land West of High Street, North Tawton (known as Batheway Field)

After some discussion it was resolved, unanimously, that the Town Council should object to the proposal for the following reasons:

The proposed allotments are outside the original red lined site area of application 01037/2013.

There is no evidence that any marketing strategy has been submitted for the employment land in accordance with the Section 106 Agreement.

Possible noise and light complaints as the proposed 28 residential units are now closer to Vital Dogs at The Barton.

Loss of employment land.

Proportionally this application far exceeds WDBC's Our Plan MPR.

It was further resolved that, if West Devon Borough Council are minded to grant the application they should be asked to consider the following:

Reduce the number of units from 28 to 23 which were originally granted to the Listed Wool Mill building

Request a Deed of Variation to the existing Section 106 Agreements at Batheway and the Wool Mill, deducting the 23 dwellings from the Listed Wool Mill building

Negotiate with Wainhomes the removal of the planning consent for the 23 units within the Listed Wool Mill building to enable other interested parties to investigate funding for their feasibility study for alternative use.

Provide allotments pro-rata to the original 61 units, i.e. 01037/2013 shows 9 allotments, and this application now shows 8.

Section 106 contributions should be pro-rata to the original 61 units.

3.2 00982/2015

Full application for agricultural developments – erection of extension to existing agricultural shed

Hole Farm, North Tawton, EX20 2BU

After some discussion it was resolved to support the application.

3.2 00983/2015

Full application for agricultural developments – erection of agricultural shed, provision of level operational area and access track

Hole Farm, North Tawton, EX20 2BU

After some discussion it was resolved to support the application.

4. Date of next meeting

The next Ordinary Meeting of the Council shall be 3rd November 2015.

The meeting closed at 8.25 pm.