

NORTH TAWTON TOWN COUNCIL

Temporary Town Clerk:
Sarah Say

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Minutes of an Extraordinary Meeting of the North Tawton Town Council held at the Council Office on **Tuesday 27 September 2016 at 7.15 pm.**

Present: Cllr Mrs C Burrow (Chairman) Cllr Mr K Hodge
Cllrs Ms J Trewitt Cllr Mr M Fisher
Cllr Miss B Rice Cllr Mr M Kennedy

Open Forum –

With reference to planning application number 2468/16/FUL:

There were questions from members of the public, and discussion took place, as follows:

- Allotments – where are they? It was confirmed that there is provision for allotments within the new scheme, and if planning permission is granted then West Devon Borough Council will ensure the planning permission includes the allotments.
- Employment land – this has not been determined yet.
- Impact on traffic – a member of the public commented that the Town Centre has the closest amenities to the site, the access for extra traffic is poor and the town does not have the right infrastructure.
- The planning officer advised that the planning application (reference as above) has been submitted and will be assessed accordingly. In general, new developments should be situated such that there is no absolute reliance on car travel, rather there is provision for cycling or walking to reach local amenities.
- The comment was made that the route for children to walk to school from Bathway Fields is not safe, it is dangerous.
- A question was asked reference proposed new 30mph signs in connection with the Bathway development. It was confirmed from the legal agreements that the signs must be erected, and street lighting installed, once 35 homes are completed – this point has not yet been reached at this time.
- It was confirmed that if the proposed extra 28 houses, in addition to the existing 61 already permitted, have a detrimental impact on traffic, the Highways Officer will take this into consideration.
- There was a query reference affordable housing provision – the relevant officers from WDBC are discussing this with the Ward Member (Cllr L Watts) and information will be fed back to NTTC as to the current situation.
- There was a query reference what effect the Neighbourhood Plan (NP) may have on this planning application – however, the NP has not gone to referendum as yet, and so it cannot carry full weight when the application is considered. It was pointed out that objections to the application should not rely on the NP but should have material objections reference planning issues.
- It was queried as to whether the developer will eventually wish to build the full 400 plus homes as set out in their 'Master Plan'. This cannot be known as yet. The NP should identify suitable areas for new development in due course.
- With reference to the Woollen Mill, if the developer is no longer planning to have residential development on that site, then 28 homes on an alternative site should be acceptable. The first application for the 28 homes on this site was refused planning permission and part of the reason was that there were no guarantees that the

employment land was being moved back to the Woollen Mill site, therefore West Devon could not support this, hence the refusal of that application.

- The developer needs to justify the 'swap' of employment land from the Batheway site back to the Woollen Mill will work.
- WDBC are aware that the section 106 agreement for the current part of the development under construction has been breached.
- There was a query as to how long the developers will be on site for the current part of the construction, but the local authority has no control over this and it is not known how long the development will take.
- There are allegations that material changes to construction are being changed after the planning permission has been granted – eg change of external finish from stone to render; change of road surface from pavers to tarmac. WDBC will have to decide whether enforcement action can be taken. If retrospective planning applications are submitted for any issues, they will be judged on their impact on the public interest.
- It was queried as to whether a management committee has yet been set up, as set out in the legal agreements. WDBC will investigate this.
- WDBC have had an enforcement complaint reference an area of stone walling related to the site.
- With reference to the pedestrian footpath from the mini-roundabout to the entrance to Batheway Fields, the path is very narrow – could the developers be asked to put a footpath inside the curtilage of the site? The planning officer advised that DCC Highways would be consulted on access as part of a planning application process, they may require alternative footpath provision if they consider it necessary.
- With reference to the Marketing Strategy, the planning officer confirmed that a Marketing Strategy in respect of the Woollen Mill and Medical Centre sites had been sent to WDBC, this will be forwarded to NTTC for information.
- WDBC could invoke an injunction on the developers if certain requirements are clearly not met.
- If the employment land eventually reverts to the Woollen Mill site, a separate Marketing Strategy will have to be produced for that.
- In response to a query as to a 'Stop Notice' being placed on further development, the planning officer advised that WDBC could issue such a notice in certain circumstances, but it would have to be judged to be 'reasonable' to do so.
- The question was asked as to whether WDBC officers have a view on the fact that the developers have asked purchasers to sign an agreement that they would not object to future development on the site? This is not under the control of WDBC and residents were advised to take independent legal advice on this issue.

1. **Apologies for Absence** – Apologies were received from: Cllr I McLeod (Annual Leave); Cllr Mr S Whiteley (prior engagement); Cllr Mrs A Ponsford (personal); Cllr Mr I Palmer (prior engagement); Cllr Mrs G Hoggins (personal); and Cllr Mrs K Tizard (work commitments). The apologies were all accepted.

2. **Declaration of Interest** – Nothing was declared at this stage.

3. **Planning Matters**

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

3.1 **Application Reference: 2427/16/HHO**

Location: Granary Cottage Yeo Lane North Tawton Devon EX20 2DD

Proposal: Retrospective householder application for replacement of window for a door and installation of platform and stairs.

After some discussion, Cllr Mr K Hodge proposed that the Council does not have any comments to make reference this application, this was seconded by Cllr Mr M Fisher, and unanimously agreed.

3.2 Application Reference: 1837/16/HHO

Location: 9 Barton Street, North Tawton, EX20 2HN

Proposal: Householder application for extension to side and rear of dwelling, replace existing man made slate for natural slate, re-rendering and new wall/railing to front garden.

After some discussion, Cllr Mr M Fisher proposed that the Council support this application, this was seconded by Cllr Ms J Trew hitt, and unanimously agreed.

3.3 Application Reference: 2634/16/COM

Location: Boswells, Road from Boswells Lane to Stone Cross, North Tawton, EX20 2BY

Proposal: Installation of diesel generator to provide power to existing mast in case of mains failure.

After some discussion, Cllr Mr M Fisher proposed that the Council does not have any comments to make reference this application, this was seconded by Cllr Miss B Rice, and unanimously agreed.

3.4 Application Reference: 2468/16/FUL

Location: Batheway Fields 4 Land West of High Street North Tawton Devon EX20 2FN

Proposal: Application for 28 No. residential dwellings with associated parking, garages, roads, footways, landscaping, drainage and allotments with associated parking. Part previously approved under planning consent 01037/2013 (resubmission of 00888/2015).

It was confirmed that discussions have taken place with officers from WDBC prior to the meeting, in order to obtain answers to questions that it was anticipated would arise with reference to this application.

Further discussion took place, as follows:

- It was confirmed that the new application does contain provision for affordable housing; and also that the proposed 'swap' of residential and employment land between the site and the Woollen Mill does appear within this application. One issue is that the employment land at the Mill is hugely different to that originally proposed on the Batheway site, and it will inevitably be much less viable at the Mill site.
- The term of 'industrial use' as applied to the land on the site is restricted to light industrial or office type useage.
- There is a big concern that this application represents overdevelopment of North Tawton generally, and certainly overdevelopment of this specific site.
- If the NTTC are to object, they need to have specific planning related reasons to do so.
- There was a query as to whether objections can be made with reference to refuse collection – apparently refuse is not collected from areas of unadopted roads (as is currently the case on the Batheway development).
- There is concern about the impact of this further proposed development on the SUDS provision.
- There is concern reference archaeological impact on the area of the site.
- It was confirmed that WDBC Environmental Health have made some specific objections to this proposal.

- There was a query as to whether original objections to the first planning application for the 28 proposed homes will still stand in reference to the new application.
- There was a query as to whether WDBC have confidence that the developers will meet their commitments as it is alleged that the 'rules' appear to be changing.
- It was confirmed that the Section 106 agreement for this application would have to be tightly controlled.

Following the discussions, Cllr M Fisher proposed that NTTC object to this planning application on the following grounds:

- (1) Loss of employment land as previously approved.
- (2) The proposed allotments are outside the boundary of the previously approved application.
- (3) Proportionately this application exceeds the minimum plan requirements currently set by the Joint Local Plan.
- (4) There is insufficient infrastructure in place within the Town to support the number of dwellings in this application.
- (5) The pedestrian access from the site to the Town centre and to the Primary School is unsafe.
- (6) The proposed swap of employment land with the old Woollen Mill site is not a comparable 'like for like' swap.

Cllr Ms J Trehitt seconded this proposal, and it was unanimously agreed.

6. **Questions/Comments from members of the public**

The meeting was suspended prior to Parish Matters to allow members of the public to comment/ask a question on any **AGENDA ITEM ONLY**. Time is limited to 2 minutes per person, up to a maximum of 3 persons, unless the Chairman rules otherwise. A brief record of any points made will be included in the minutes of that meeting.

6.1 Mrs C Hughes pointed out that in 2014 when the original application for the part of the Bathway site currently being developed was under consideration, the planning officer had commented that only 50% of the green land was actually being developed, as there would be allotments, a pond, planting schemes, etc – but this has turned out not to be the case. This was noted.

7. **Parish Matters**

- 7.1** Query as to what is happening ref the metal sign and the dead badger on the footpath between Bathway and De Bathe Cross. The Clerk advised that both these issues had been reported to the respective authorities, the Clerk will follow up on this.
- 7.2** It was reported that one of the lamp posts in North Street, specifically the one on the left just before the old yard area. The Clerk will report this to DCC.
- 7.3** It was reported that, although DCC have had workmen out clearing some pavement gullies, some of the gullies are still blocked. Additionally, the tarmac has not been cleared from the road drains in Fore Street. The Clerk advised that this issue had been reported to DCC Highways, the Clerk will follow up on this.
- 7.4** With reference to the proposed new litter bin installation near the rugby club, it was reported that cars are parking in such a way that the bin would not be accessible. Cars are not supposed to be parked on this specific location. It was agreed to write a letter to affix to the cars in question, asking that they park in accordance with the Highway Code. This will in turn preclude enforcement notices being issued by DCC highways enforcement officers.

8. **Date of next meeting**

The next Ordinary Meeting of the Council shall be 4 October 2016.

The meeting closed at 8.45 pm.