

HARBERTON PARISH COUNCIL

Minutes of the ordinary meeting of Harberton Parish Council.
7.30pm on Tuesday 8th November 2016, Harberton Parish Hall.

In attendance: Cllrs Beamish, Broom, Camp, Davidson, J.Hockings, S.Hockings, Janes, McDonnell, Waite, Williams, Wynne

Formal apologies: None

Absent: None

Public: 2

Clerk: Ms Radford

Public Session

- The Harberton tree warden gave his assessment on the application to fell an oak in Harberton; felling would be unwarranted and suggested reducing the crown of the tree and lopping long branches growing over the stream. The Harbertonford tree warden agreed. At the discretion of the Chairman and the agreement of the Parish Council a resolution on item 1.7.3 was brought forward and **it was RESOLVED** to OBJECT to application 3162/16/TCA works to trees in a conservation area T1 Oak – Fell 3 Meadow Close, Harberton, proposing that the advice of the Harberton tree warden is taken.

Agenda

- Apologies** – None.
- Declaration of Interests** Councillors were reminded of the need to update their register of interests.

| Name | Item | Detail | Action Taken |
|---------------|------|---|--|
| Geoff Broom | 12 | Owner of site within Neighbourhood Plan. | Following advice received from DALC having an interest in potential sites need not prevent councillors from participating in discussion or voting on details within the Neighbourhood Plan |
| Charlie Wynne | 12 | In process of purchasing section of a site within the Neighbourhood Plan. | Following advice received from DALC having an interest in potential sites need not prevent councillors from participating in discussion or voting on details within the Neighbourhood Plan |
| David Camp | 17 | Reference widening gateway query: Interest of a family member | None |

- Parish Councillor Vacancy** It was **RESOLVED** to co-opt Chris Bowley as Parish Councillor for the ward of Harbertonford, and the declaration of acceptance of office was completed and countersigned by the Clerk.
- Reports from County and District Councillors** for information.
 - County Councillor (C.Cllr)** All councillors had received a copy of the C.Cllrs written report. The following was reported:
 - The Harberton public telephone under consultation for removal had only been used four times within the past 12 months. The C.Cllr was informed that the Parish Council had requested adoption of the kiosk in which to install a defibrillator.
 - There is an opportunity for anyone with a broadband speed of less than 2Mbps to apply for a voucher of £500 towards the cost of a new broadband connection. Applications are open until the 30th November 2016. It was commented that although most of Harberton is served by the box at Pendarves, some outlying settlements are connected to box 21 in Follaton, 7km away. Box 21 is considered within a commercial area and may not be eligible for vouchers, even though the distance from the exchange returns extremely poor broadband speeds. **ACTION Cllr S.Hockings** agreed to email the **C.Cllr** with proposals for reclassification to take to Devon County Council (DCC).
 - A Locality Fund application has been made for a replacement noticeboard in Harberton.
 - Drains between Brockhills and Harbertonford are blocked by silt and will be reported to Devon Highways (Highways).
 - The C.Cllr is pressing the Environment Agency to undertake contamination tests to the soil at Cockwells Nursery as the full report has been delayed.
 - In response to a query, County and District Cllrs confirmed that the Devon and Somerset devolution process was being funded by 17 local authorities across both counties. The C.Cllr expressed concern that the consultation is likely to be limited to the concept of a combined local authority and the establishment of a mayoral post for that new authority, rather than on the economic development strategy, for example.
 - District Councillor (D.Cllr)** It was reported that:
 - 17 beaches in the South Hams have passed EU standards and 15 have been classed as excellent.

- 4.2.2 Management of leisure centres within the district will change from Tone to Fusion Lifestyle on 1st December. A grant of £400,000 and £1.5M loan has been offered to Tadpool in Totnes, who will contract Fusion Lifestyle to run the pavilion.
- 4.2.3 Notifications had been received that some long-standing enforcement cases have been resolved.
- 4.2.4 It is expected that the food waste and garden waste placed in brown bins should be separated in the future.
5. **Minutes** the minutes of the Ordinary meeting of the Parish Council of 11th October 2016 were signed as an accurate record.
6. **Report Matters Arising from the Minutes** for information only
- 6.1 Filing cabinet removal It was reported that three filing cabinets were removed from the former Parish Clerk's residence. As there had been no local interest in the filing cabinets, they would be taken to the recycling centre.
- 6.2 Devon Air Ambulance (DAA) community landing sites It was reported that the Community Helipads Development Officer will be visiting Harbertonford Football Club (HFC) and the Harberton Parish Hall in order as part of a viability assessment. He will attend the December meeting of the Parish Council to give his report.
- 6.3 Parish Council Notice Boards It was reported that an application for £770.00 has been made to the C.Cllr's Locality Fund for a new noticeboard for Harberton. The Harbertonford board remains serviceable for the meantime if the pin board material was replaced. **Action: Cllr Waite**
- 6.4 Harbertonford Playground Lease Ongoing
- 6.5 Webhosting Contract Ongoing
- 6.6 Transfer of funds It was reported that £29,195.77 was transferred from the Lloyds Bank account to the Barclays account in two transactions on the 7th and 8th November 2016.
- 6.7 Pension regulator The Chair signed a letter addressed to the Clerk informing her that the Parish Council is not obliged to pay money into a workplace pension scheme, but giving her the opportunity to join a scheme if she wishes. It was reported that the staging date has been brought forward to the 1st January 2017 and the declaration shall be made shortly after this date.
7. **Planning**
- 7.1 Consideration of recommendation on the following applications:
- 7.1.1 **It was RESOLVED** to SUPPORT application 3053/16/LBC listed building consent for the creation of a small bat roost box at Beenleigh Manor, Road Through Beenleigh, Beenleigh, Harbertonford
- 7.1.2 **It was RESOLVED** to SUPPORT 3040/16/FUL replacement of outbuilding with single dwelling (alternative to 23/2331/15/F for conversion of outbuilding to single dwelling) at Lower Ashridge Farm, lane from Higher Grove to Lowe, Harberton
- 7.1.3 **It was RESOLVED** OBJECT TO application 3162/16/TCA works to trees in a conservation area T1 Oak – Fell 3 Meadow Close, Harberton, proposing that the advice of the Harberton tree warden is taken.
- 7.2 Report on Planning Authority Decisions
- 7.2.1 1257/16/LBC Listed building consent for new shower room and loft access with proposed roof lights at The Chapel, Gospell Hall To North Park Corner Harbertonford **CONDITIONAL APPROVAL** Unless otherwise agreed all rooflights/patent glazing shall be fitted so as to be flush to the roof plane. to ensure that the development displays good design practice in respect of the age and character of the development. To comply with comments and recommendation set out in the Bat Survey dated June/July 2016 from Western Ecology. The approved accesses shall remain in place and the openings kept unobstructed thereafter.
- 7.2.2 2799/16/AGR Prior approval for proposed agricultural building, By Railway Bridge Dorsley Barton Totnes for hay making and storage, as well as the storage of agricultural machinery **PRIOR APPROVAL NOT REQUIRED**
- 7.2.3 3125/16/COM Notification for proposed telecommunications installation of 1no. electricity generator, concrete plinth, ducts, cabling and ancillary development at Luscombe Farm Brock Hills Cross Harbertonford **PERMITTED DEVELOPMENT**
- 7.2.4 2497/16/FUL Conversion and extension of out-building into separate dwelling to be used in connection with the main house Meadow Copse, Bow Road, Harbertonford **CONDITIONAL APPROVAL** The approved dwelling shall be used in connection with the main dwelling of Meadow Copse to allow further consideration and consultation for the dwelling to be use independently to the main house.
- 7.2.5 2662/16/PDM Prior approval for proposed change of use of agricultural building to 2no. dwellinghouses (Class C3) and for associated operational development (Class Qa+b) the Dutch Barn at SX 766 741 Blakemore Farm, Harberton **PRIOR APPROVAL GIVEN**
- 7.2.6 2270/16/TCA Works to trees in a conservation area T1: Sycamore -Fell **TREE WORKS ALLOWED** It was requested that the minutes show that this site is home to a dangerous and non-native Gum Tree.
- 7.2.7 2466/16/LBC Listed building consent for the replacement of two rotten south-east facing ground floor windows with lie for like timber casement windows and replacement of two rotten south-east facing first floor windows with hardwood whilst retaining original casement windows. Vine House, Harberton **CONDITIONAL APPROVAL**

- 7.3 Report on active enforcement cases A hard copy of active enforcement cases was circulated for information. It was reported that the following enforcement cases had been closed:
- 7.3.1 007421 & 008851 Alleged breach of planning The Old Mill, Woodland Road, Harbertonford. Two retrospective applications have been received by SHDC. Planning enforcement investigation will be closed as the matter will be considered during the determination process.
 - 7.3.2 007529 structure and work on a listed building at Sandwell, Harberton. There is a history of correspondence with the owner showing positive engagement with conservation and enforcement officers. The case was closed with no further action.
 - 7.3.3 011667 alleged breach of planning conditions - Listed Building 1 Homeleigh, Harberton. The site history shows evidence of compliance by way of previous listed building consent application. As this is an anonymous complaint the case is closed without further action.
 - 7.3.4 011852 alleged untidy vehicle and caravan, Packs Close, Harbertonford A caravan remains in situ but it is partially on the highway and although dirty would not satisfy the requirement for an untidy land notice.

8. **Monthly reports** for information

- 8.1 Finance Committee update - Nothing to report.
- 8.2 Harberton Parish Neighbourhood Plan (HNP) update Representatives of the HNP attended a meeting with Totnes and Dartington Neighbourhood Plan to share information and discuss potential development at Winsland House. A cluster meeting will be held shortly.
- 8.3 Community Land Trust (CLT) update It was reported that a meeting had been held with 'Help to Buy South West' on the selection process for applicants. It is expected that a planning application for the development will be submitted in January 2017.
- 8.4 Town and Parish Fund updates
 - 2014 The clerk reported that a meeting between the school and proposed artist has not taken place but is chasing progress to draw funds down before Christmas.
 - 2015 Cllrs met to review the work to be undertaken and a contractor and volunteers have been consulted in order to schedule the project.
- 8.5 Clerk's update
 - 8.5.1 **It was RESOLVED** to renew the Clerk's membership to the Society of Local Council Clerks (SLCC).
 - 8.5.2 Following queries as raised by the village defibrillator working party, it was reported that BT will give permission to install a defibrillator if the cabinet meets specified regulations. BT will guarantee the power supply for 7 years and has provided information to access to the fuse box for installation.

9. **Harberton Flood Relief Scheme**

- 9.1 Parish Council approach to a future scheme It was reported that Devon Flood Risk can provide £2000 for the parish council to employ the services of a consultant to undertake an initial survey this financial year. A list of consultants as used by DCC had been supplied at the Parish Council's request. Devon Flood Risk suggested the Parish Council gather information on natural flood management schemes, siting a scheme in Stroud, Gloucestershire, as this could work for Harberton. Information was supplied on possible sources of support for flooding and emergency planning.

Cllr J.Hockings commented that he was now of the opinion that the culvert downstream of the flood relief scheme proposed would not be sufficient to take the flow. It was reported that the land owners upstream were open to discussing flood management options, such as an impoundment to slow down water. **It was RESOLVED** to seek a consultant to look at the catchment area above the culvert to propose viable solutions. **ACTIONS: Cllr Waite** contact the Environment Agency to request contact details for any consultant surveyors experienced in natural flood management, **Cllr J.Hockings** will draft a tender document. **Cllr Williams** will enquire as to whether the consultant contracted to undertake the flood risk survey for the CLT could also undertake a natural flood management survey.

- 9.2 Waste Water Flooding A letter was read from the resident of Church Barn describing the effect that poorly draining surface rain water has on her property and business as a B&B owner. The letter requests that councils responsible for looking into future development in the village takes account of the issue of surface water pooling at this property, asking that the matter is resolved before any future development is allowed.
- 9.3 South West Water (SWW) Works It was reported that SWW has approved works to replace a three-metre section of bellied sewage pipe in the Ford Farm/Church Barn area on 19th and 20th November. This follows reports of the appearance of foul water in the surface water gully at Church Barn. SWW has provided a service map of the area showing that the gully directly feeds into the damaged sewage pipe. As works schedule are for a section of pipe upstream of the junction, councillors reserved judgement that it would solve the issue, but the most affected resident and the clerk have agreed a system of reporting any problems to SWW.
- 10. **Harberton Playing Field Association (HPFA) Car Parking** HPFA proposed wording for an honesty box with suggested donation of £1 per day for parking of licenced and roadworthy vehicles in the upper car park at the Parish Hall, to raise funds for HPFA projects. The D.Cllr commented that car parking charges may be subject

to business rates, and agreed to seek advice on the Parish Council's behalf before any wording is agreed. The following wording could be considered once advice has been received: *'Honesty Box: This car park is maintained by Harberton Playing Field Association Volunteers and funded purely through donations.'*

Stipulations for use of upper car park were confirmed: No vehicle is to occupy more than one parking place. All vehicles parked must be licensed and roadworthy. Trailers and SORN vehicles are not permitted. Abandoned vehicles or trailers will be reported to the District Council via the Parish Council for removal.

11. **Street Cleansing Reflection** It was reported that following SHDC's review, all roads within the district have been allocated to zones with different response times for litter and refuse management. Most of the roads in Harberton and Harbertonford fall within zone 3 (2 week response time) except the A381 from Brockhills to Gospel Hall, Harbertonford and Tristford Road and Leigh Bridge to Broadpark Style, Harberton allocated to Zone 2 (a 24 hour response time). No comments were made.

The Parish Council was invited to make comment on the placement of litter bins within the Parish and **it was RESOLVED** to request the following:

- A larger litter bin to be provided at the NW bound bus stop on Church Green, Harbertonford. The Parish Council would like to encourage recycling and ask if this bin and associated collection could accommodate waste separation.
- New bins on Bow Road, Woodland Road and Hernafor Road to encourage the disposal of dog waste.

12. **Neighbourhood Plan Draft** A copy of the draft plan was circulated to Cllrs in advance of the meeting. The Steering Group were congratulated on their work on the plan. It was considered that the whole plan is coming together well. The following comments were made:

General It was queried whether some of the descriptive language is necessary. Steering group representatives commented that if local planning decisions are made by centralised planning authorities at some time in the future, description of the landscape would be of a benefit for officers who might have never visited a rural parish like Harberton. The tone is reflective of the descriptions submitted via consultation.

Housing

- The chair expressed concern that the housing chapter leads with Follaton, that although supported by the public consultation it doesn't help the vitality of the two village communities in the Parish, nor responds to the original consultation in which people said they wanted to see some development in Harberton and Harbertonford. The chair also commented that the consultation has been undertaken in the Harberton parish, when most of the impact will be in the adjoining area of Totnes who weren't included in consultation. It was suggested that there should be justification provided to lead with Follaton; e.g proven need for expansion at Follaton or providing more suitable alternative sites than those currently identified in Dartington or Berry Pomeroy plans. Representatives from the steering group reported that consultation with neighbouring groups is in process which will affect the decision on inclusion. It was commented that Totnes was opposed to development as 'there was a rigid line around Totnes' but Dartington were supportive as this site could relieve pressure from development on their border with the town.
- It was commented that housing policy states that 'six further sites would be supported only if the need was identified'. It was suggested that it should be stated how the need will be identified; the housing needs survey was undertaken three years ago, and would need to be done again within the life of the plan, including questions about need for downsizing.
- There was a discussion in which comments were made that the Follaton site has its merits and should be included in the plan but it does not address housing needs for the villages that would contribute to the ongoing sustainability of the community and its services. Villages do need to keep progressing. The plan should therefore be much more proactive in identifying housing sites within the villages for prospective development for small, low cost/affordable housing and starter homes rather than referring to development of village sites as a last resort only.
- There was discussion on the issue that the plan reads as though the villages do not want to see any development and it should be put on the edge of Totnes. Steering group members commented that qualitative responses suggested that people didn't want to see development. There were comments that the Follaton site being the only one achieving over 50% popularity in survey and discussion about how to treat neutral votes. Issues about traffic, transport links and roads were raised. There were comments about development in the outlying areas, as feedback suggested areas such as Hazard and Dorsley are ignored.
- It was commented that if you look at the architecture of every village, there is all sorts of architecture from different times. If you don't let a certain amount of development in villages, you run the risk of there being no children – this nearly happened in Harberton 25 years ago. The playing field was out of use and was being cut for silage. If you don't allow young people in, villages will die.
- It was suggested that the numbers of houses for each site should be listed. There was discussion about density and cost. It was commented that housing density should be based on cost first – development should be low cost/affordable and this may have the impact that development is of a higher density than has been previously considered.

- It was queried whether the Devon rule stipulations for newly designated affordable housing (P7 wording above policy H2) be so specific as to apply to parishes, wards or villages? Would this apply to the Follaton area?
- P6 Policy H1 C, refers to development of sites if need were to be identified and development is required by the Joint Local Plan. There was a request for more information as to how need would be identified.
- Protected Land p10: What are the policy areas identified by SHDC that should remain as protected areas?
- It was suggested that Palmers Field is included as a protected area. Owned by the Environment Agency and with a covenant restricting public access, members of the community can contribute to the management of the site via membership of a conservation group.

Ecology

- P36 Rookery Wood paragraph. There was a discussion about use of the terms 'protection', 'maintenance' and 'management' and relationship between each. It was commented that terms such as 'it should be protected' are not specific enough to have clear meaning. Is there a conflict between 'protection' and policy EC2?
- EC2: query the word 'commercial' when coppicing could be for community or preservation reasons. It was commented that coppicing should be encouraged.
- There was a question as to whether the Neighbourhood Plan need cover matters that are protected through other legislation (e.g. works to trees in conservation areas). It was commented that the Neighbourhood Plan has legal force and within the Parish stands in place of the local plan. If a member of the public moved for a felling licence in a woodland, area of land or outcrop specifically mentioned in the plan, the reference could assist in pushing through a tree protection order because it is supported in the document.
- There were comments about the plan being more supportive about managed woodland and coppicing.
- P10 Protected land 'query Policy Area previously identified by the South Hams District Council will remain a Protected Area' Suggested policy area is identified more explicitly.

It was agreed to councillors to send any additional remarks to the steering group via the Clerk.

13. TAP Fund It was RESOLVED not to make an application to this round.

14. Correspondence

- 14.1 Consultation Stakeholder Updates 11, 13 &14 Cllrs were informed of receipt of public response to the NHS consultation on reshaping community health services in South Devon and Torbay which identified common themes of concern amongst the public. Copies are available on request.
- 14.2 Council Tax Support Grant allocation It was noted that there will be an annual reduction in the grant of 9.85% per year for the next three years.
- 14.3 Are You Ready For Winter Cllrs were informed of the SHDC news release.
- 14.4 Community Resilience Support Training Offer Cllrs were informed that funding was in place to provide free emergency planning workshops and training.
- 14.5 Devon Highways Annual Parish & Town Council Conference Cllrs Davidson and Waite agreed to attend.
- 14.6 Devon Highways Survey **It was RESOLVED** that the Clerk respond to survey on behalf of the Parish Council.
- 14.7 Planning newsletter - South Hams Cllrs were informed for interest.
- 14.8 Palmer's Field The clerk had received a request that the Parish Council keeps a watching brief of possible development at Rolster Bridge quarry and Engleborne woods to ensure the natural balance of plant and animal life on the adjacent Palmer's Field.
- 14.9 Changes to the day to day communications relating to Lightsource solar farms in your area It was noted that
- 14.10 Your monthly newsletter from Devon ALC Cllrs were informed.
- 14.11 Atmos Totnes referendum It was noted that a period of purdah has commenced which may be relevant to discussion of the Atmos project.
- 14.12 News release: East of Ivybridge will remain in Ugborough Cllrs were informed for interest.

15. Finance

- 15.1 Notice of incomes and expenditure since last meeting
A payment charge of £10.00 had been levied on 3rd October in relation to an unpaid cheque.
- 15.2 November payments **It was RESOLVED** to pay the clerk's salary by standing order each month, starting this month.

It was RESOLVED to approve the following payments:

| Chq | To | Invoice | Detail | Before VAT | VAT | Total |
|----------------|-------------|---------|-------------------------------|------------|-----|----------|
| Standing Order | Cat Radford | NA | Salary November: £231.92 | £ 267.60 | £ - | £ 267.60 |
| | | | NP Secretary November: £35.68 | | | |

| | | | | | | |
|-----|---|----|----------------------------------|---------|--------|----------|
| 764 | Cat Radford | NA | Clerk Expenses claim 20161102 | £ 15.60 | £ - | £ 15.60 |
| 765 | Society of Local Council Clerks (SLCC) | NA | Membership fee (Clerk) | £ 88.00 | £ - | £ 88.00 |
| | | | | | Total | £ 371.20 |

- 16. E-Circulars** It was reported that the following e-circulars were received regularly: Public Sector Executive, Rural Services Network, Healthwatch Devon, Devonshire Magazine, Open Forum Events, Countyside Alliance Funding Circle, Public Policy Exchange, Village Green, Fields in Trust, Emergency Planning Newsletter, Parish Online, Information Commissioner.
- 17. Matters at the discretion of the Chairman: Councillors' reports and items for future agendas**
- It was suggested that a letter of thanks be sent to the people in Harbertonford who raised money towards the village defibrillator.
 - It was noted that the lease agreement with the Ambulance Trust has been amended, and the defibrillator working party are considering the implications of this.
 - There was a query into the widening of gateways in the Parish and whether the Parish Council should be consulted. It was remarked following previous comments by the Parish Council that Mr Camp improved the existing access onto the A381 to allow vehicles to enter and exit the field further up the slope with the aim of reducing the number of vehicle wheelings directing water downhill to the lower gateway and thus the road and onto the village of Harberton.
 - It was commented that an occupied residential caravan has been sited at the Keys Englebourne junction on the A381 where the chippings are stored. The Clerk agreed to report this to SHDC and DCC.
 - There was an observation that as the crossing in Harbertonford extends to the door of the Maltsters Arms, it is difficult for a vehicle to assess whether the smokers standing outside the pub are intending to cross the road. This was noted for the minutes as an observation of concern.
- 18. Date of next ordinary meeting** Tuesday 13th December 2016 Harbertonford CE Primary School.