

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

Chairman: John Goodey

15/283	<p><u>Public open session</u></p> <p>Comments:</p> <ol style="list-style-type: none"> 1. The Parish Council were thanked for the Community Plan Project facilities at Deepway green. 2. A question was raised as to what was happening with the Royal Oak Public House. Cllr Hussey commented that the brewery was looking for another landlord. Cllr Goodey mentioned that the Parish Council had a Community Right to Bid on the building, should the brewery decide to sell it. 3. Concern was expressed by the Clerk of Shillingford Abbot, on behalf of residents and the Parish Council, about traffic on Waybrook Lane in relation to the planning applications for the Matford Development. 	
Part 1		
15/284	<p><u>Present</u></p> <p>Cllr John Goodey (JG), Cllr Chrissy Hussey (CH), Cllr Derek Madge (DM), Cllr Richard Morgan (RM), Cllr Josie Walledge (JW), Cllr Adrian Wood (AW), Cllr Peter Chandler (PC) Clerk: Mrs Jill Daw (JD) Deputy Clerk: Mrs Helen Hibbins (HH) Teignbridge District Councillors: John Goodey (JG) Public: 11</p>	
15/285	<p><u>Apologies accepted from</u></p> <p>Cllr Lorne Smyth (LS) – work commitment Cllr Alan Connett (AC) – work commitment</p>	
15/286	<p><u>Declaration of interest on Agenda Items</u></p> <p>None declared.</p>	
15/287	<p><u>Dispensation requests regarding Code of Conduct</u></p> <p>None received.</p>	
15/288	<p><u>To approve the Draft Minutes of the EPC Meeting held on 6 July 2015</u></p> <p>Resolved.</p>	
15/289	<p><u>Chairman's Report</u></p> <p>Items were reported under Councillors' Reports (15/303).</p>	
15/290	<p><u>Clerk's Report</u></p> <p>The Clerk reported that a Rural Aid Grant of £3500 had been awarded to the Parish Council following the recent application submitted on behalf of the Victory Hall Trust and the Deepway Trust. Cllr Goodey thanked former Councillor Caroline Aird for her work on the application.</p>	
Planning Matters		
15/291	<p><u>Matford Development</u></p>	
/1	<p>Planning Applications</p>	
1.	<p>15/01331/MAJ, Land Off Chudleigh Road, Alphington - Hybrid application comprising: Full application for conversion of the existing threshing barn and associated linhay to form three dwellings and erection of 16 new dwellings with associated landscaping and access and outline application for dwellings including four gypsy and traveller pitches and public open space (approval sought for access)</p> <p>Justin Dodge, a representative from Westcountry Land was in attendance. Standing</p>	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

Orders were suspended to allow Mr Dodge to speak.

Several questions had been emailed to Mr Dodge prior to the meeting and were answered as follows:

- a) Q: The application made no mention of a monetary contribution to 'Infrastructure funded or provided directly through development' (SWE Framework). Confirmation had been received from Ros Eastman at Teignbridge District Council (TDC) that the application was 'on site', in accordance with the SWE Framework. Please confirm that this was the understanding.
A: Mr Dodge understood that the application was under CIL. The only S106 contribution required was for affordable housing. There had been no dialogue with TDC regarding any further S106 contributions to date.
The Parish Council agreed to raise this matter in their response to the application.
- b) Q: It was understood that the required SANGS would be provided by TDC out of the CIL contribution. Please advise what assurances had been received from TDC that the SANGS would be provided at the appropriate time.
A: Mr Dodge said that he was nervous of TDC's ability to deliver the SANGS within the required timescale. Some land had been acquired within the SANGS area as a contingency plan so that there would be delivery of a SANGS if TDC did not bring one forward in time, although this was, not ideally, located south of the A379.
- c) Q: Bovis had identified that there was a lack of capacity in the mains drainage system. Please advise what work/investigation had been carried out to ensure that there was sufficient capacity in the mains drainage for your development.
A: South West Water advised that there was sufficient capacity for the Westcountry Land application in isolation, however, the combination of the 3 sites, Bovis, Exeter City Council and Westcountry land, exceeded the capacity. A joint venture commissioning investigative work with Bovis had recently taken place and the report was awaited.
- d) Q: Area A (where the development was situated) was particularly prominent and visible from Exeter City, forming an important part of the landscape. Please advise what consideration had been given to the development of this area, with regard to the prominent parts requiring special treatment, and additionally, as the development ran adjacent to the A30 what consideration had been given to the proximity of dwellings to the road.
A: As part of the planning application there was a requirement to make a full environmental impact assessment. The land proposed for the school and community facilities was more prominent than most of this development with the most visually sensitive part of the site adjacent to the A379. In terms of the impact of the A30, the greatest concern was noise. It was intended that a landscaped bund would be provided as a screening between the A30 and the nearest dwellings.
- e) Q: Concerns had been raised about the use of Waybrook Lane. Please confirm that there was no intention of exit or entrance onto the Lane.
A: Following consultation there was no longer any intention for a junction with Waybrook lane from the Westcountry land application either vehicular or otherwise.

A further question was asked at the meeting:

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

	<p>f) Q: What was the intended timing and phasing of the development. <i>A: The site was in an accessible location. Work would commence relatively quickly subject to planning conditions being fulfilled. The intention was to be on site in spring 2016 with the first houses complete in winter 2016/spring 2017. The build out rate would be 40-45 units per year; altogether a four to five year programme.</i></p> <p>In addition to points raised above it was resolved to submit the following additional comments to TDC in response to the application:</p> <ul style="list-style-type: none"> • Consideration should be given to making Waybrook Lane one way from East to West. The issue was raised with TDC at a recent meeting and it had been suggested by Ros Eastman that the matter was taken up with Devon County Council (DCC) • The Parish Council would like to ensure that the arrangements for S.106 agreements were negotiated before this application reaches the TDC Planning Committee. • As with all planning applications, relevant policies in the Neighbourhood Development Plan should be taken into account. • Finally, it should be noted that the Parish Council believed the previous application (14/02710/NPA) was pertinent to this planning application and that the concerns leading to it being refused should be fully considered with this application. 	HH
2.	<p>15/01779/FUL, Old Matford Lane - Erection of eight dwellings</p> <p>Cllr Wood had circulated a document on the planning application. Discussion of the application had also taken place at the ENDPIG meeting on 15 July and it was suggested that consideration should be given to the following points and observations:</p> <ol style="list-style-type: none"> a) It has been confirmed that the proposed development was within the Matford development and would be subject to the same requirements as the four major applications (Matford Home Park, Bovis, Matford Home Farm and Westcountry Land). Accordingly it should be expected that there should be a financial contribution towards the infrastructure to be delivered by the development via S106 agreements. Additionally it was noted that CIL would be payable. b) The application form has 8 market houses. There was no mention of affordable dwellings. Cllr Goodey explained that there had been a recent increase to the threshold for affordable housing and that therefore this application was no longer required to provide affordable housing and there would be no contribution payable. c) If the decision was to be delegated then TDC should be asked for confirmation that the development fully conformed to both the TDC Local Plan policies and the relevant Exminster Neighbourhood Plan policy. d) Currently, the site has fifteen car parking spaces which are used by staff at the Devon Hotel. The recent development at the Hotel has increased the number of car parking spaces available at the Hotel and it was said that the staff vehicles could be accommodated at that location. Twenty-two (an increase of seven) car parking spaces (including garages) would be provided at the proposed site. It was not easy to identify the number of additional (if any) movements caused by the proposed eight new dwellings compared to the staff parking. It was agreed that 	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

	<p>TDC would be asked to check the net movements.</p> <p>e) The application was vague regarding the provision of the SANGS. It should be reiterated that the provision has to be in place before the first dwelling is occupied.</p> <p>f) Bovis has advised that there is insufficient capacity in the mains drainage system and, therefore this matter should be investigated and addressed before the application was considered.</p> <p>It was resolved to submit the above observations and comments.</p> <p>It was agreed to take item 15/292 next.</p>	HH
/2	<p>Update on Matford Home Farm</p> <p>Mr Mark Dyson was in attendance.</p> <p>Prior to the meeting, several issues had been raised with TDC in the Parish Council's interim submission on this application. Mr Dyson addressed the points raised as follows:</p> <p>a) Q: Concerns were expressed regarding drainage, in view of the fact that the land on the other side of the A379 which the pond would drain into was already frequently waterlogged, without the pressure of additional drainage from the new development.</p> <p><i>A: Mr Dyson confirmed that the land was not draining into the same drain as the Bovis and Westcountry Land applications. However, a consultant had been appointed to assess the run off from the development and attenuation storage would be provided to slow the flow into the Matford Brook.</i></p> <p>It was agreed that confirmation from TDC should be sought to ensure that they were satisfied with the provision.</p> <p>b) Q: Clarification was sought that the parking provision per dwelling was 2 off road spaces excluding any garage.</p> <p><i>A: Exact parking requirements needed to be confirmed with TDC, but on average 2 spaces per unit would be allocated. This would differ across the application depending on the size of the house. It was likely that there would be facilities for parking in both garages and on driveways.</i></p> <p>It was agreed to confirm with TDC that they were satisfied that there were sufficient off road spaces.</p> <p>c) Q: The access to a car park off Matford Lane (included in the Waddeton Park application) was inappropriate due to the narrowness of the lane and inability for vehicles to pass.</p> <p><i>A: Mr Dyson explained the east-west vehicular link across Old Matford Lane onto the Bovis site would not be available for vehicles to access the site from the Devon Hotel roundabout. It was noted that this had evolved from TDC's Development Framework and was not part of the Matford Home Farm planning application.</i></p> <p>Cllr Wood noted that if this was TDC's intention the confirmation should be sought that there could be no north-south access due to the lane being unsuitable for two way traffic. There had been discussions with DCC that Deepway Lane, from the Exminster direction, would be made access only up to the Motorway Bridge.</p> <p>Further questions were asked at the meeting:</p> <p>d) Q: What is the timing and phasing of the development?</p> <p><i>A: The build would take place over a five year period. Negotiations were taking</i></p>	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

	<p><i>place with builders and it was envisaged that work could start in spring 2016, although a detailed planning application would need to be submitted by the house builders first.</i></p> <p>e) Q: The application allowed for the provision of the SANGS on site. Confirmation was sought that the provision would be in place before the first dwelling is occupied? A: Confirmation had been received from English Heritage regarding the ancient monument and access to it. The SANGS application was due to be submitted shortly.</p> <p>The following points formed part of the interim submission and it was agreed that they were still relevant.</p> <p>f) The Parish Council would like to ensure that the arrangements for S.106 agreements were negotiated before the application reached the TDC Planning Committee.</p> <p>g) As with all planning applications, relevant policies in the Neighbourhood Development Plan should be taken into account.</p> <p>It was resolved to submit a further response to the application to TDC include the points raised above.</p> <p>Cllr Goodey thanked the developers for their attendance.</p>	HH
/3	<p>Issues arising from all Matford Development planning applications and responses to the two applications above</p> <p>The report from Planning Consultant, Simon Williams, had been circulated to all Councillors, and discussed in detail at the ENDPIG meeting on 20 July. Additionally there had been a meeting with TDC on 8 July and notes from the meeting had been circulated. Mr Williams had been tasked to pursue S.106 obligations and had found that little progress had been made. Thanks to his meeting it was discovered that the TDC Planning Committee would not be deciding on the Bovis planning application at their meeting on July 28, but to receive an update report. It was likely that a decision would be made in October at the earliest.</p> <p>Mr Williams recommended a number of actions, some of which were included in the draft further response to the Bovis application (which had been circulated electronically to all Councillors). It was proposed that the responses to the three planning applications discussed at this meeting were included as appendices to this response to the Bovis planning application.</p> <p>Cllr Wood explained the key issues and recommendations within the response and two other significant points, Infrastructure Provided directly through Development and Affordable Housing.</p> <p>Key issues and recommendations</p> <ol style="list-style-type: none"> 1. To ensure that the individual applications work collectively for the Matford development all 5 planning applications submitted for the South West Exeter Area should be considered at the same time, by the TDC Planning Committee. 2. An explicit written confirmation be sought that all landowners/ developers are working on this project in a joint and cooperative manner, especially with regard to the coordination, provision and phasing of essential community infrastructure. 3. Full drafts and both a schedule of proposed Planning Conditions and Draft Section 	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

106 Agreement should be prepared, prior to the applications being reported to Planning Committee. This was important, not only for TDC and the Elected Members, as the Local Planning Authority, and the Parish Council within which area the development is to take place, but also in the interest of openness and transparency for the general public.

4. The 'Parameter Plans' submitted by the application should be 'tied' to the Planning Consent through either Planning Condition or a clause in the 106 Agreement. This would ensure that the development progresses in accordance with the proposals and layout in these plans, and which have formed the basis for assessing the environmental effects.
5. Bovis should be asked to provide, a 'Mitigation Schedule' drawn from the conclusions of their Environmental Statement and other consultations with statutory agencies. This would be helpful to the public and other interested parties.
6. Discussions should take place with TDC and other parties on the scale and nature of the community facilities, notably the community centre and sports facility, following the receipt of the Lacey, Hickie, Caley report, with a view to inclusion of the agreed requirements in the Section 106 Agreement and that this be resolved prior to the application[s] being reported to Planning Committee.
7. Discussions should take place with regard to the phasing of the provision of the community and sports facilities, that are currently proposed to be provided after the completion of 650 and 1800 dwellings respectively, with a view to these facilities being provided jointly, at the same time and also much earlier in the delivery programme.
8. A comprehensive plan should be produced for the SANGS showing how, when and where the delivery of the SANGS will meet the requirements of the SWE Framework. The plan should include full details of the ownership, management and ongoing financing of the SANGS.

Infrastructure funded or provided directly through development

The Parish Council envisaged the Sports and Community Facility (including the GPs Surgery) being delivered at an earlier stage than envisaged in the SWE Framework. This would help engender a community spirit at an early stage in the Matford development. It needed to be pointed out that the trigger for the GPs Surgery was based on the new dwellings in the South West of Alphington as well as the Matford development. Subject to satisfactory financials, the Parish Council was prepared to take on the ownership and running of the Sports & Community Facility(ies) and the GPs Surgery. In terms of the infrastructure to be delivered by the development, EPC was interested in the Health Provision, Principal Community Building, Further Community Buildings, Indoor Sports and Leisure facilities and the Artificial Turf Pitch (1.5ha). EPC wished to progress grant applications as there was a long gestation period. TDC had stated that it did not want to take on the Sports & Community facilities in the development and it would be happy for EPC to do so.

Cllr Wood expressed disappointment that the Parish Council had not been involved in the brief for the report TDC had commissioned (see point 6 above).

It was noted that the feasibility study carried out as part of the NDP was in the hands of

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

	<p>TDC (as it had formed part of the evidence for the NDP), however it was unknown whether this had been provided to the consultants. It should be explicitly stated in point 6 that the vision was that the facilities were for the whole parish.</p> <p>To progress the project (Policy EXM1 in the Neighbourhood Plan), the Parish Council sought early sight of the draft Lacey, Hickie, Caley report and a prompt resolution of any issues arising from the report.</p> <p>Additionally, an email had been received from Nick Davies confirming that it was not the preferred option for TDC to manage the Sports and Leisure facilities but that TDC were keen to ensure that the facilities met the need of the community and acknowledging that it would be an ideal way forward for the Parish Council to own/manage the facilities.</p> <p>Affordable Housing</p> <p>At the time of the TDC Local Plan inspection the Parish Council queried the requirement for 25% of the new dwellings to be affordable. The Parish Council was assured that the percentage was based on a formal review of what was required in the SWE1 development area.</p> <p>It was now understood that the Housing Enabling Team were proposing that 20% of the 322 affordable housing in the Bovis application be commuted to a cash sum and provided elsewhere within the Teignbridge District.</p> <p>The Parish Council sought assurances that:</p> <ul style="list-style-type: none"> (a) The proposal would not be increased or extended to the other developers; (b) CIL would be levied on all market price dwellings including those replacing the relocated affordable housing; and, (c) If Bovis provided the cash sum, there would be no negative impact on the delivery of infrastructure funded or provided directly through development. <p>It was resolved to submit the document with additional emphasis on the points involving the sports and community centre.</p> <p>Cllr Wood was thanked for his work in preparing the document.</p>	HH/ AW
	Other Planning Applications	
15/292	<p><u>15/01856/ADV, Devon Motel , Old Matford Lane - Freestanding illuminated totem sign</u></p> <p>Cllr Morgan outlined the application.</p> <p>A spokesman for the hotel was present in the public gallery and Standing Orders were suspended to allow him to clarify aspects of the application.</p> <p>It was confirmed that the lighting of the newly proposed sign would be minimal and it would be switched off from 01:30 until dusk. The location of the sign was also clarified. Council resolved that it had no objections to the application.</p>	HH
15/293	<p>Planning Decisions</p> <p>Noted as listed below</p>	
/1	<p>15/00547/FUL, 36 Eager Way - Two storey side extension and front and rear dormer windows</p> <p>Granted.</p>	
/2	<p>15/00101/MAJ, Matford Home Park, land to the south of the A379</p> <p>Granted with conditions.</p>	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

15/294	<p><u>Other Planning Matters</u></p> <p>1. Sentrays Farm Cllr Wood clarified a comment regarding Sentrays Farm made in the Minutes of the last EPC meeting and noted that the Section 123 list along with some amendments to the document '<i>Use of Section 106 Upon the Adoption of CIL</i>' was out for consultation. Cllr Wood agreed to write a detailed report on this for the August meeting, but as far as Cllr Wood could tell, the changes would have no major effect on Exminster. As the Sentrays Farm planning application was to be settled under the CIL arrangements, there were substantially less categories under S.106. However, the Parish Council should pursue CIL contributions from TDC towards '<i>new or enhanced equipped play facilities, playing fields & pitches, local indoor sport & leisure (off site)</i>'. The Clerk would write to TDC to request this. The draft S.106 agreement for Sentrays Farm was now available. Of note was that the SANGS would be located in SWE Ridge Top SANGS. As a temporary arrangement, it had been suggested that the field above the development on Sentrays Farm could be used. This was completely contrary to what was stated by Nick Davies, the Head of Development Control, who was adamant that the SANGS should be provided adjacent to the development. This was an important matter to be raised with TDC. The Clerk, in conjunction with Cllr Wood, would write to TDC to highlight this.</p> <p>2. TDC Planning Committee meeting representation The next TDC Planning Committee meeting was taking place on Tuesday 28 July. A member of the Parish Council could speak to the committee regarding the Bovis application. Cllr Goodey would attend in his capacity as a district councillor. Cllr Wood volunteered to attend on behalf of the Parish Council. Cllrs Goodey and Wood would confer on which points each would raise at the meeting to avoid duplication.</p>	<p>JD</p> <p>JD/ AW</p> <p>AW/ JG</p> <p>JD</p>
Community Plan		
15/295	<p><u>Community Plan Projects update</u> To be discussed at the meeting on August 3.</p>	
15/296	<p><u>Community Plan Steering Group</u> No update.</p>	
Neighbourhood Development Plan		
15/297	<p><u>Approval to carry out a mailshot to residents of Matford to request members to come forward for the ENDPIG.</u> It was resolved to carry out a mailshot costing in the region of £40.00.</p>	JD
15/298	<p><u>To receive updates on progress and discuss / decide further Priorities for the use of Community Infrastructure Levy (CIL) and infrastructure paid by development</u> No update.</p>	
Finance Matters		
15/299	<p><u>RFO's report</u> The following points were noted:</p> <ol style="list-style-type: none"> 1. Delegated authority during June: £160 plus VAT to have earth levelled at Spurfield. 2. Direct Debit payments during June: £17.12 for electricity for the Skate Park 	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

15/300	<u>Accounts for Approval</u> It was resolved to approve payments in the sum of £4613.20.	HH
15/301	<u>Draft accounts for June 2015</u>	
/1	Budget Comparison Report There were no questions. It was resolved to approve the report.	
/2	Balance Sheet There were no questions. It was resolved to approve the report.	
Property & Amenities Matters		
15/302	<u>To consider a request from Exminster Recreational Trust to approve the refurbishment of a new kitchen and replace the dugouts</u> A report had been circulated by the Clerk. A Health and Safety question raised regarding the siting and dimensions of the dugouts had been addressed and it was explained that the intention was to make the dugouts more vandal proof. The refurbishment of the kitchen was also necessary. A question was raised as to whether planning permission was required for the dugouts. It was resolved to approve the refurbishment and replacement of the dugouts, subject to confirmation that any necessary planning permission for the dugouts would be sought.	JD
15/303	<u>Councillors' Reports – for information only</u> <ol style="list-style-type: none"> 1. Cllr Walledge reported that the grass had been strimmed around the benches on Reddaway Drive by Mr Fowler. 2. Cllr Morgan had visited Deepway Green and was pleased to see that the facilities were being used. 3. Cllr Madge highlighted a consultation strategy that TDC were carrying out that had not been advertised to the Parish Council. The Clerk had only been advised the day before the consultation event that officers would be consulting with the public at Coffee on the Corner. Cllr Goodey had requested that the consultation was repeated in Exminster. The closing date for the consultation is August 18. 4. Cllr Goodey reported: <ol style="list-style-type: none"> a. Mr Geach had reported Ragwort growing in areas of the village. It was noted that DEFRA had downgraded Ragwort so that it was the responsibility of the landowner to clear it, instead of that of the local authority. b. Double yellow lines had been requested by a resident in Jupes Close. Cllr Goodey had responded as a District Councillor explaining the problems with displaced parking. The residents concern was noted. c. He had attended a meeting of Kenn Parish Council who were looking to employ their own Parish Lengthsman in partnership with neighbouring parishes. d. Mr Fowler had been thanked for his help with the Community Plan projects. Mr Fowler had knowledge of the location of many underground utilities in the Parish and these needed to be recorded for the future. 	
15/304	<u>It is proposed that in accordance with section 1 (2) of the Public Bodies (Admission to Meetings) Act of 1960, the Press and Public will be excluded from items 15/306 and 15/307 (part II) having due regard to the confidential nature of the business to be transacted.</u> Resolved.	

Exminster Parish Council Meeting

Minutes

Monday 20 July 2015 at 19:30 in the Victory Hall

15/305	<u>Public Open Session</u> No comments.	
Part II		
15/306	<u>Land at Hospital Drive</u>	
15/307	<u>To receive updates on progress and discuss / decide on the contractual arrangements for the delivery of Priorities agreed in Part I of EPC meetings for the use of Community Infrastructure Levy (CIL) and infrastructure paid by development</u>	
The meeting closed at 21:41 Date of next meeting: Monday 3 August 2015 at 19:30 in the Victory Hall		

Signed:.....John Goodey..... Date:..3 August.....