

**-1 Minutes of the Parish Council Meeting held in the Village Hall on  
Monday 24<sup>th</sup> June 2013 at 8.00pm**

**Present: -** Cllrs Sanders - (Chairman)  
Cole - (Vice Chairman & Planning Chair)  
Clarke  
Cook  
H Jeffery  
D Jeffery  
Pearce  
Phillips  
Slattery  
Salter  
Tillotson

**Apologies:-** None.

**In attendance:-** David Atkins (Clerk & RFO).  
Cllr Potter (DC)  
Cllr Channon (CC) - Later  
55 Members of the Public

**10/13/14** **Declarations of Interest:-** Cllr Slattery - Personal due to development which may in time take place, adjacent to his property at Down Close, through the SHLAA process.

1. Cllr Salter -King Alfred way. Personnel, land adjacent to his Property
2. Cllr Salter - In respect of Popplefords planning application re. The Spa at Popplefords, he considered himself to have a Pecuniary interest as his partner has an interest, in a similar business, which may be impacted.
3. Cllr Salter - has business interests with the Applicant for Southerton Park.planning Application.

Cllr Cook questioned the position over Pecuniary Interest in general especially Property Values.

Minutes of the meeting held on 29<sup>th</sup> April and 13<sup>th</sup> May revised. In respect of the 13<sup>th</sup> May there was another up-dated version tabled, which it was agreed could not be signed off as no-one had had time to read them, agreed to pass to the next meeting. In respect of the 29<sup>th</sup> April 2013, these were duly agreed and signed by the Chairman and all pages initialled.

**Proposed Cllr H Jeffery**  
**Seconded Cllr Cole**

**Nem con.**

The Clerk said these would now be placed on the Web for public information.

In respect of the 13<sup>th</sup> May, Cllr Salter considered that the Clerk had not carried out his previous request to advise EDDC that in his opinion as a planning application document was a legal one he had proposed that the EDDC take appropriate action to refer the matter to the CDE

Solicitor for removal of the references to the sentence in the letter of support to the application which stated “EXPLICIT SUPPORT of the PC”, which Cllr Cole as Chair of Planning considered should have referred to IMPLICIT. The Clerk said the matter had been muddled by two instructions from Cllr Salter one by phone, the other by email. He indicated that the letter to EDDC had been sent to Ed Freeman, Development Manager and had to be redressed as an illegal application had been made in Cllr Salter’s opinion, bringing the Council into disrepute. The Clerk stated that reference to the said sentence had been removed and the appropriate change sent to EDDC by Bell Cornwell that day. This was after a phone call received from the agent.

Cllr Cole at this point stated that the Parish Council had held a discussion with CDE prior to SHLAA to consider what land could be available for a new Community hall that would provide indoor sports facilities as this had been one of the most repeated desires in the results of the parish Plan Questionnaire. Clinton Devon Estates suggested that land above King Alfred way may be made available, but some housing would need to be included to make the proposal viable. At a subsequent meeting of members of the Parish Council the majority supported the principle of Clinton Devon Estates providing a Community Hall site on the back of an extension to the King Alfred way housing estate. This came about because of the Ottery Doctors request (referred to earlier) for an improved Doctor’s Surgery facility as the old surgery was not now fit for purpose as a Doctor was not allowed to work on his own, not an ideal circumstance. The Clerk read the latest letter from the Doctors attached to the main Minutes and copied to members.

At this point it was agreed to move to the next business.

Cllr Salter sought information on the SHLAA review by Cllr H Jeffery, she responded that as she had only had the details returned in the week, she had not completed her overview. She would present it to the next meeting after sending to all members for their input.

Cllr Cook reiterated her view that only small developments were acceptable. It was noted that Cllr Salter considered that the questionnaire in respect of SHLAA was a failed one (note the Clerk had made it clear on more than one occasion that the said questionnaire was cribbed from Woodbury Parish Council where the answers etc had produced the same responses, no queries having been made).

## **11/13/14 Reports**

### **A) Chairmans**

at  
had  
to

1) Police - The Clerk had not received a report but had seen PC Wallace in the morning Back Lane/A3052 Junction with the speed gun where he was told a number of drivers been given advice and one ticket issued. David Wallace apologised for not being able attend.

agreed

2) Parish Plan up-date on items in the Parish Plan that need to be taken forward. It was to take this item to the next meeting.

### **B) Clerks**

**1) Receipt and Payments and Balance on the current account to end of May -**

Members had received their copy with the Agenda and the Public had had the report on their seats. The Clerk said these would now be placed on the web and the quarterly analysis was now with Cllr H Jeffery for overview and scrutiny and would be presented to the next meeting. Members questions were answered.

**2) To report further on the matter of the replacement Water Main -** the Clerk advised that further information had been presented via a note to him seeking further information in respect of light traffic using Back Lane, Eastwards to Sidmouth and School Lane to Exmouth/ Exeter Southwards as a one way system for the first three weeks.

It was further noted that the A3052 would be closed for a 3 week period to allow work to proceed through the Tolle House area, all heavy goods vehicles were to be diverted through Honiton (Note a further up-date was given over the phone to the Clerk in respect of after the 3 week closure, light traffic would be able to proceed under convoy control for the rest of the contract which would allow work to proceed up to Christmas starting again in the New Year).

Public meetings would be arranged to inform everyone. Property access would be maintained.

**C) District Cllr - Cllr Potter referred to the matter of KAW and his observations which he had sent to EDDC to be placed on the web (see below):-**

*I support this application .*

*The site is in an AONB but is immediately adjacent to the village boundary and the inclusion of the doctors` surgery will be of great economic benefit .*

*The public footpath ( Newton Poppleford and Harpford Footpath 1 ), which joins the proposed development to a point very close to the entrance of the primary school, will need upgrading. This, in turn, will increase safety for parents and children in Newton Poppleford, who currently have to negotiate danger spots along the main road. (See Parish Priorities of Action in the Parish Plan.)*

*Newton Poppleford and Harpford Parish Plan 2012 also states under the heading Parish Priorities for Action : Community Resources : A new hall, sporting facilities, surgery / medical centre, Parish Office .*

*In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against .*

**D) County Cllr - Cllr Channon** referred to the fact of improvement of Farthings Lane from the Tolle House to King Alfred way the funding of which had been approved and included in the budget. There would also be two low level lights included for the dark nights. The scheme was to assist the pedestrians not having to walk past the Southern Cross area of the A3052. It was noted that the Community Council of Devon had been given a contract under the new health watch scheme which could go ahead in October.

**E) Grants - Cllr Phillips** said that no information had been forthcoming for the Month, but in respect of 106 funds he had contacted Sulina Tallack who had said that the funds could be spent within a 10 year time period. In respect of a Club House for the tennis club, beside the courts, it was noted that before anything could be done the public had to give their support and a planning application had to be made (note - the Clerk handed D Zirker the plan indicating the line of a major power cable running through the area).

12/13/14 Correspondence -

**A) Smiths-Gore re. Harpford Hall** (copied to Members read to the meeting).

The Clerk said he had been in contact with Mrs Jenny Lavender and Val Ranger in respect of a key holder and booking Clerk. The answer was very positive and a plea was made through a note from Mrs Lavender that the hall was needed for the local community and that it had traded profitably in the past.

Members debated the matter further and concluded that the Income, Expenditure etc was required to check the viability. It was agreed that a further letter be written to Mr Dixon of Smiths-Gore as a holding interest pending the outcome of a letter to all Old Harpford residents as to the use that might be needed from the Community.

**B) John Govier and others re. Webbers Meadow in respect of concern re. litter left behind by users, disturbance of fish spawning and birds, and dogs in the water** - Cllr Salter indicated that the spawning areas were further up stream (copied to members) and read to the meeting. It was agreed to place discreet notices in suitable places requesting that people take their litter home

**C) St Lukes Church re. Water supply to the Old Cemetery** - Copied to Members and read to the meeting. The Clerk advised that he had referred the matter to south west water for clarification especially due to the fact that the hall had been removed some time ago. He also suggested that a meeting be held with South West Water to establish the same principle as applied to the Allotment and New cemetery supply i.e. two meters feeding off the one supply Pipe, as it would be very costly to put in a new service for the small amount of water likely to be used. The Council would then be in a better position to consider the whole matter. This was Agreed. Noted.

**D) Provision of footpath from Parsons Paddock to Parsons Close** - Copied to members, read to the meeting. The Clerk asked Cllr Channon to respond as she had been copied into the correspondence and was looking into the matter. Cllr Channon was very supportive of the need, as was the Parish Council. Cllr Channon would discuss the concept of a self help scheme with Officers and would enquire who were the owners of the land.

**E) Other Correspondence** - Ben McGowan - As requested the letter was read and noted.

**F) Cllr Salter then referred to the letter in the press from Mr Zirker** - It was noted that Cllr Salter considered a letter of apology should be written to Mr Zirker in respect of the email that was sent to all Members in response to the Chairmans request to overview the content of a draft response from him. Cllr Cook said that the council was using E-mail instead of the phone as a convenience and hopefully these e-mails were not for Public discussion.

The question of the freedom of information Act was referred to and the matter of openness. Cllr H.Jeffery reminded everyone of the data protection legislation/Act.

Mr Zirker made a statement in response and offered to give the keys back.

The Clerk advised those present that it was a Trustee matter and that a meeting was to be arranged at a suitable date to present the year end figures as requested. The matter could then be referred to at a Council meeting. He further reminded the meeting that the Trustees meeting had to be held as a separate meeting and not form part of a Parish Council meeting.

**Proposed Cllr Cole**  
**Seconded Cllr Slattery**

**Unan.**

**12/13/14 Venn Ottery Residents Association - re. Bonfire on the Village Green on August 10<sup>th</sup> 2013** - Request for permission. Cllr Cole explained the need. It was agreed that this could take place and that the arisings be removed and grass seed be sown. Cllr Cole also referred to the road drainage problem, he had been contacted by the County Officers who informed him that the matter was to be resolved with the co-operation of one of the land owners further up the un-metalled track way.

**13/13/14 Matters Raised by Members**

**A) Cllr Cook - Balsam Bashing** - Cllr Cook advised as to where the volunteers had managed to get to and asked if assistance could be sought from the quarry people who had offered their assistance (note the Clerk sought the help of Cllr Potter who was informed contact would be made with the Clerk during the week beginning 1<sup>st</sup> July 2013). The Clerk having a few days holiday. Back to matters raised by Members. Cllr Cook - Balsam. Cllr Phillips said that a Willow Tree was growing in the Back Brook some 250 metres from the bridge upstream. It was agreed to meet at the VO Bridge and obtain permission at Goosemoor for access to the Brook.

Cllr Slattery raised the matter of speed through the village and the need for a sign in the region of School Lane. The Clerk had still to write to the Head master on the matter of safety of children and to gain his support for sign / signs. He also raised the matter of the web site which he now considered was out of date and needed to be upgraded in co-operation with Shan Merritt.

On the question of where were the seats that had been purchased through the Jubilee funds. The Clerk said they were at Woodleys awaiting someone to fix them in place. Cllr Cole was trying to find a suitable contractor. A suggestion was made that perhaps it could be a self help scheme.

**14/13/14 Planning Applications Received**

**A) 13/1199/FULL Higher Garden Cottage  
Higher Way  
Harpford**

**Proposal:** Dormer window on rear first floor elevation; extension to time limit for implementation of planning consent 10/0976/FUL.

**Observations:** Fully supported.

Proposed Cllr Cole  
Seconded Cllr Cook Unan.

**B) 13/1258/FUL Poplefords Restaurant, Exeter Road**

**Proposal:** Change of use of restaurant to hotel; change of use and extension to former farm shop to associated health and spa facility including erection of decking area, gazebo and associated works.

**Observations:** It was agreed to hold a site meeting.

Proposed Cllr Cook  
Seconded H Jeffery Unan.

**C) 13/1328/FUL Southerton Park, Southerton,  
Ottery St Mary**

**Proposal:** Garage, utility and bedroom extension.

**Observations:** As previously supported it was again supported but noted it was smaller than the original Application.

Proposed Cllr H Jeffery  
Seconded Cllr Cook

**D) 13/0316/MOUT Revised proposal including description and layout**

**Land south of King Alfred Way,  
Newton Popleford**

**Proposal:** Outline application for the development of up to 40 houses, doctors surgery and associated infrastructure, open space and landscaping (all matters except access reserved).

Cllr Salter challenged the date for return of responses and moved that a new date be set to discuss this matter, this was seconded by Cllr Phillips. At the Vote, there were only 3 in favour, 6 against and 1 abstention.

Cllr Salter sought an answer to the question why had the original observations on the first application not been forwarded. The Clerk responded that due to the revised plan having been received the Officer had said there was no need. In response to who was the Officer, the Clerk informed him it was Lyn Schwen.

Cllr Cole then outlined the application, the alterations, the reduction of properties from 42 to 40, the removal of the community hall facility / site and a looped roadway.

Barry Easter, a member of the public addressed the meeting referring mainly to the need for the Doctors as expressed to him personally and as referred earlier within the letter read by the Clerk. He pointed out the shortcomings of the current surgery and how a Doctor should not be operating on his or her own. He pointed out that no other land was available and considered

this was a one and only opportunity to increase the service provided and save a journey to Ottery.

He also pointed out that he had been a Principal Planning Officer and that an AONB designation does not preclude development. He further considered that no significant impact would be created, he further added that the Village could loose out, especially as it was now proposed to fully build and equip the facility. Mrs Pinney spoke against, highlighting that it would bring too many people into the area creating too much traffic and this was supported by others.

Cllr Cook considered it was too many houses and referred to the need for the number to be spread over other sites, she also referred to the pinch point on the main road at the Tolle House and Southern Cross.

Cllr Phillips said he had not changed his mind and was supported by Cllr Salter who said the Council was not representing the Parish.

Whilst support was given to new infrastructure from 106 funds and later the CIL, it was considered that Affordable Housing and some for older people were needed. Cllr Cole proposed that the Council do not support the application because the Community Hall site had been removed. Cllr Cook moved an amendment that there were still too many houses. Therefore the amended proposal was put and received, 5 votes against the development because of the number of houses with 4 against the development solely because the Community Hall Site had been removed, and 2 abstentions. Note under debating rules that then becomes what is known as the substantive motion, upon which other amendments can be made. That is then voted on and the result was the same, This means that the response to the District is one of no support, but this does not mean the vote was unanimous, it is clearly a majority.

**Closure.** The Chairman closed the meeting.

Chairman

Date