

EAST ANSTEY PARISH COUNCIL

The minutes of a meeting of the Parish Council held on Wednesday 13th March 2024 at East Anstey Primary School at 7.30pm

Present: Cllr's Mrs H Warne (Chair), Ms J Gannon, R Milton (Also District Cllr) and Ms L Moore.

In attendance: Eleven members of the public and the Clerk, Mrs J Larcombe.

70/03/24. To receive apologies. Apologies were accepted from Cllr R Gibson.

71/03/24. Disclosure of interests in items on the agenda. Cllr Milton declared an interest as a District Councillor, both planning applications to be discussed are in his ward. Cllr Gannon declared a personal and pecuniary interest 78189 in planning application as a neighbour.

72/03/24. To agree the minutes of the Parish Council Meeting held on 31st January 2024 as an accurate record of the meeting. The minutes were agreed as an accurate record and were duly signed by the Chair.

73/03/24. Matters arising from the minutes, not included on the agenda. None.

74/03/24. Public Questions. A member of the public referred to the East Anstey Parish Council Minutes dated 5th August 2020 and the information reported under correspondence in item 186/08/20 and a recent prosecution by NDC. He claimed the Parish Council had not minuted what he had reported to them. The Clerk reminded the member of the public that the Parish Council has no responsibility for licencing. The Chair apologised for not putting his words in the minutes. Members of the public, including residents of properties close to the site of the application, raised the following concerns about planning application 78189, New Park Farm:

- The excessive size of the proposed property. There are no other properties of a similar size in the area.
- The impact it would have on the wider rural character of the area
- There are no local amenities
- It could be developed into a commercial venture such as an Airbnb and there would be a significant impact on light pollution and a danger to pedestrians
- A six bedroom property with no garden suggests it will be used as a holiday let
- No consideration has been given to the impact of increased traffic on the road
- New Park Farm was purchased as a single storey dwelling but has been increased to two dwellings in the space of three years. It is now proposed to create a third dwelling Creating three separate plots on this site feels like it is going too far for a rural area.
- Planning policy is not being upheld and there are concerns about what it would do to the area

- Residents who have moved into the area have done so to live where there is peace and quiet and approving this application will create noise and disturbance.
- A notice was not posted when the application to convert the first barn was submitted. It was alleged that planning permission had not been obtained to raise the level of the roof. The resident who had complained had been told by a NDC Planning Officer that NDC did not have to tell them about the application because of the fields between their property and New Park Farm. It was claimed that Somerset Council tell people about planning applications close to them and it was questioned why NDC do not. It was explained that in some certain cases planning permission doesn't have to be applied for.
- It was questioned what this proposed dwelling is going to turn into. It will not have a garden and it is on a bend.
- This is a large shed, if the applicants are not permitted to convert it into a dwelling the owners will look for something else to use it for.
- It is the applicant's priority to sell the barn to raise funds.
- One member of the public said they would not have a problem if it was used for a rural use. The road was built for horse and carts and the banks are being eroded by large vehicles.
- Some people in Oldways End will not have heard about the application because it is close to the boundary with another parish and the County boundary.

Cllr Milton reported the planning notice had not been posted by the Planning Officer when he rang them. It has now been posted and the dates have been changed. He explained that objections to an application must be for material planning reasons, splitting a property isn't always a material planning reason. What might be done in the future cannot be considered. As a District Councillor he can call in an application in his ward for a decision to be made by the NDC planning committee. He is waiting to find out what the planning officer is thinking about this application because it is no point calling it in if they are recommending refusal. He noted this application is for a single dwelling. Twelve months ago NDC had not met its government housing target but that has now been met and there is no longer a rush to approve applications to try and meet it.

There was surprise that this was not a Class Q application but once one Class Q application has been made on a site all other applications have to be full applications. A councillor said it was her understanding that the more modern timber clad building had been built under permitted development rights for agricultural use. In that case a Class Q application cannot be made for 10 years. If that is the case time is moving on towards ten years.

As it is looking likely that in the future planning permission will be needed for holiday use it was suggested the Parish Council should ask for a condition limiting use to permanent residential use only, should the Planning Officer be considering recommending approval.

It was noted the planning officer for this application is employed by NDC and is not a planning officer from an agency.

The members of the public left the meeting.

75/03/24. Planning

a) To make a recommendation on any planning applications received by the council before the meeting.

Cllr Miss Gannon and Cllr Milton declared their interests and took no part in making a decision on the Parish Council's comment for the following application. **78189** Conversion of agricultural barn to single residential dwelling. New Park Farm, East Anstey. Comment: East Anstey Parish Council recommends refusal for the following reasons:

- The proposed dwelling will be a new residential development in the open countryside.
- The proposed barn conversion will create a large dwelling which is not proportionate to the settlement's size, form and level of facilities available in the Village
- It does not meet a number of the elements of the locally developed vision for the community in Policy EAN: East Anstey Spatial Strategy.
- The red line is very tightly drawn around the building and there does not appear to be sufficient amenity space for a 6 bedroom dwelling
- The location of the PTP is under the trees with discharge to existing water course. Tree roots and PTPs don't mix and will cause demand for tree removal in future. The watercourse is some distance but if it is within the ND biosphere then the level of treatment will need to be significant to avoid pollution. The red line should include the route of pipeline to the watercourse as otherwise it cannot be implemented
- The red line would appear to show no turning space for the anticipated 3 vehicles to enable them to reverse into the garage and a 6 bedroom dwelling would probably create more cars than 3.
- There appears to be no justification for the proposed 31% increase in gross internal area of the building
- The planning statement indicates that the proposal complies with Policy S03 Improvements of environmental performance and heating technology of homes but there is no indication of the form of heating of environmental standards to be achieved by this full application. There does not appear to be to be space for air source heat pumps on the elevations adjacent to the proposed plant and utility room and there is not space within the red line for geothermal technologies.
- Whilst the building is structurally sound will the roof structure take the weight of solar panels?
- Whilst the Parish Council doubts that planning policies allow for a request for this to be affordable the building could easily be converted into 4 or 5 homes within the proposed 599 sq m and at 5 would trigger a requirement for affordable housing and so is unlikely to be popular with the applicants. However it could be split into 4 dwellings under the 100sq m restriction that was placed upon the Froude development and this could then be considered as closer to meeting the policy requirement that new dwellings in East Anstey should be of a size and type so as they more affordable to local people.

- Should this application be approved the Parish Council requests a condition to limit the use of the dwelling to residential use only.
- Should this application be approved it is suggested that swift and swallow nesting boxes should be included as a lot of these birds are seen around that area and they like to nest around there.

Notification of the following application was received on the morning of the meeting. As the Parish council would not be meeting within 21 days the application was discussed and a comment agreed.

78360 Retrospective application for the erection of a temporary agricultural workers dwelling and associated parking. Land at Oaklands Farm, East Anstey. East Anstey Parish Council question whether this is the correct siting for the mobile home as it is 2 fields away from the calf unit which is spreading development in the open countryside. A site visit is requested.

Should the Planning Officer be minded to approve this application the Parish Council ask for the following conditions:

1. That the mobile home is removed if the calf rearing business ceases and the site reinstated to open countryside
2. That information to support the viability of the business must be submitted on time.

The agricultural statement does not mention that approximately one third of the acreage is bog and not suitable for silage making.

b) To note any decisions made on planning applications by NDC. No decisions received.

c) Any other planning matters. The responses regarding concerns made to NDC regarding the Jubilee Inn being let for residential use were noted:

The NDC Business Rates Revenues Team have confirmed they are aware that the Jubilee Inn is now being used as residential accommodation and they have reported the change of use to the Valuation Office Agency (VOA), in order that the entry be transferred from the Non-Domestic Rates list to the Council Tax list. A NDC Licensing Case Officer has confirmed the premises licence issued under the Licensing Act 2003 in respect of the above premises has been cancelled as unfortunately, the premises licence holder has passed away and no application for transfer was received. They suggested checking with planning to see if a change of use has been received to change it from a public house to a private dwelling.

An unauthorised change of use from public house to residential dwelling has been reported to Planning Enforcement and a reference number, 13930, has been allocated.

76/03/24. Highways: Any highways issues. The usual potholes were reported.

77/03/24. Reports

a) District Cllr. Cllr Milton reported there have been discussions about the devolution deal between the government, Devon County Council and Torbay Council. Plymouth want to stay on their own. It is now down to local planning authorities to condition every planning application, apart from permitted development and retrospective, regarding biodiversity net gain. Once approved only the local planning authority can police it. NDC has had a Joint Local Plan

with Torridge District Council but TDC has voted unanimously to produce a new local plan. It will cost NDC in the region of £600,000 to produce a new local plan. The Licensing team are now flexing their muscles.

b) County Cllr. No report.

78/03/24. Finance:

a) To approve invoices for payment. It was resolved to make the following payments: Mrs J Larcombe - £216.30 Clerk's salary for 2 months plus expenses (Payment ref: 2324/28)

HM Revenue & Customs - £43.20 PAYE (Payment ref: 2324/29)

Mrs J Larcombe – £72.80 repayment of PAYE payment made to avoid charges as payment had not been authorised by the second signatory in time (Payment ref: 2324/30)

An internal transfer will be made from the Instant Access Account to the Current Account to return the balance to £500.00.

b) To note any receipts since the last meeting and the bank balances. The Clerk reported there had not been any receipts since the last meeting.

The Current Account balance is £1,072.80 and the Instant Access Account balance is £8,784.15.

c) Report on budget v Actual 1st April 2023 – 31st January 2024. The report was noted. There were no areas for concern.

d) Annual review of the Effectiveness of Internal Controls and Internal Audit. Approved.

e) Annual review of the Business Risk Assessment. Approved.

f) Appointment of Internal Auditor. It was agreed to appoint Karen Ward as the internal Auditor.

79/03/24. Play Area

a) Any issues arising from playground inspections. No issues arising.

b) To agree who will carry out inspections until the next meeting. Cllr Mrs Warne will continue.

c) To discuss the proposed changes to the entrance to the playing field. A new gate and fencing are required and an area needs to be created for parking using hard core as a base. Cllr Mrs Warne will obtain a price for the work.

d) Progress with applying for funding for new play equipment. The Batsworthy Cross Wind Farm Community Fund has now reopened for small applications up to £2,000 and medium applications up to £30,000. Expressions of interest can be made for applications up to £70,000. Up to date quotes will be obtained and an expression of interest will be started.

80/03/24. To consider a request for a new notice board at Oldways End. It was agreed the Parish Council would not pay for a new notice board at Oldways End. The Parish Council has a notice board in the village.

81/03/24. Parish Council vacancies. There has been no interest in filling the vacancies. It was suggested that parishioners needed to be aware of the risk of losing the Parish Council if no one comes forward to be a councillor. Three of the five councillors on the Parish Council live outside of the parish boundary, within the permitted limits.

82/03/24. Correspondence. The defibrillator battery needs replacing but it appears The Community Heart Foundation has not received the payment for the annual

maintenance contract. The Clerk will check whether a payment has been made and will arrange a payment if it hasn't.

83/03/24. Date of the next meeting. The next meeting will take place on Wednesday 8th May 2024.

Signed:
Chair

Date: