



**DRAFT**

<b>Parish Councillors</b>	<b>D Brown</b>	<b>Chairman and District Councillor</b>
	<b>J Stansell</b>	
	<b>J Bennett</b>	
	<b>M Chown</b>	<b>District Councillor</b>
	<b>D Drought</b>	<b>Vice Chairman</b>
	<b>D Giles</b>	
	<b>R Newnham</b>	
	<b>D Packer</b>	
	<b>C Smith</b>	
	<b>M Newstead</b>	
	<b>M Kenny</b>	
	<b>Clerk</b>	<b>A Towill</b>

**Minutes of the Wembury Parish Council Meeting held at the Jubilee Hall, Down Thomas on 19<sup>th</sup> August 2019**

**19-099 OPENING THE MEETING**

**The Clerk** opened the meeting at 19.30. She explained that as both the Chairman and Vice Chairman were away that a temporary Chairperson would need to be nominated from the councillors present. Cllr Packer proposed Cllr Stansell, seconded by Cllr Giles and approved unanimously. **Cllr Stansell** then began the meeting proper.

**19-100 APOLOGIES**

Apologies received from Cllr Brown, Cllr Drought, Cllr Newstead, Cllr Chown. Cllr Kenny arrived at 19:42 during the open session.

**19-101 DECLARATION OF INTEREST & DISPENSATION REQUESTS**

There were no Declarations of Interests or further Dispensation Requests.

**19-102 THE BUSINESS OF THE COUNCIL WAS SUSPENDED FOR THE PUBLIC TO MAKE OBSERVATIONS OR TO PUT QUESTIONS**

**The Chairman** suspended the business of the Council and opened this session to the public at 19:35.

**The Chairman** announced that members of the public are only allowed to speak during the open session of the meeting and they should raise any matters of concern, or explanation, including planning items, at that time and not wait until later in the meeting, as they would not be allowed to speak.

- i) **Andy Coughlan** Agent for the land at Tresco spoke about the planning application. He explained that it was near the edge of the development area but in the undeveloped coast. There was a house beyond the site as well as the existing house. He stated that the proposed house can't be seen from the Yealm and it fulfils a housing need. He believes there will be no detrimental effect and it will be within an existing residential curtilage. It will appear to be on one level and is DDA complaint.

**Cllr Bennett** stated that he has been to the site and although it is right on the edge of the development boundary, it does not seem to be visible to others. There is already planning for a garage and extension, which won't be done if this application is successful.

- ii) **John Williams** of Eddystone Road Down Thomas spoke about the increasing pressure of developments in Down Thomas and Heybrook Bay. There was an initial planning application of 30 houses which was rejected because of the pressure on roads etc. However, since this was rejected there have been lots of smaller applications or single applications which could result in more than 30 houses being built in the area. This would create the same issues that the rejected proposal would have done. He spoke about his concerns regarding the impact on the natural history and wildlife, the need for wildlife to be able to track around the countryside via hedgerows and the beauty and importance of natural history. He stated that there is a need for councillors to be very clear of any interests in any application and there is a perception that Wembury has had enough development and it's time for Down Thomas and Heybrook Bay to put up with developments.

**Cllr Stansell** clarified that at every meeting the councillors are asked to declare any interests in any matters arising in the meeting and all do so. He also clarified that the Parish Council is purely a consultee on planning matters and that all decisions are made by SHDC.

**Cllr Packer** explained that the new Joint Local Plan has a policy called Dev24 which means that the parish is attached to an area called the Undeveloped Coast. There are stringent new guidelines regarding this which restricts developments.

**Rosalie Rhodes** stated that she fully agreed with what John Williams said about the wildlife and natural history and how it needs to be preserved.

**There were no further comments and the Chairman closed this open session at 19:44 to resume Parish Council business.**

## **19-103 TO RECEIVE THE MONTHLY PLANNING REPORTS**

### **i) Planning Applications**

The Chairman went through the planning applications.

**RESOLVED: To accept the Planning Report with resolutions as detailed in ANNEX A of these minutes.**

ii) Further to a previous decision to object to the appeal for a planning application for South Barton Farm, a discussion ensued regarding a document constructed by Cllr Packer. It was suggested that if the council agreed to the wording it could be formally submitted by The Clerk to the appeals department. **Cllr Truscott** asked for clarification that if a development was in the undeveloped coast area should it be automatically rejected? **Cllr Packer** explained that planning policy is not law but a material consideration and **Cllr Giles** said that each development should be decided on their own merit. The development at South Barton farm would be intrusive and seen from all areas, in addition to the access and traffic issues. **Cllr Bennett** proposed the following, seconded by **Cllr Giles** and approved unanimously.

**RESOLVED: To submit the objection to the planning application appeal as detailed in ANNEX B.**

## **19-104 FINANCIAL REPORTS**

### **i) FINANCIAL STATEMENT FOR AUGUST 2019**

The Chairman presented the financial report as per ANNEX C.

**RESOLVED: The August 2019 Financial Statement is approved, as detailed at ANNEX C.**

**ii) BANK RECONCILIATION FOR AUGUST 2019**

**The Chairman** presented the monthly Bank Reconciliation as shown in Annex D

**RESOLVED: The Monthly Bank Reconciliation is approved as detailed in ANNEX D.**

**19-105 EXCHANGE OF INFORMATION**

- i) **Cllr Smith** informed the council that there was a BioBlitz happening at the Marine Centre at the end of September over a weekend. Schools will be invited on the Friday and the public on the Saturday. It will be a big event and as a precursor, there will be a talk on the 5<sup>th</sup> September by Paul Naylor, who will talk about the Yealm BioBlitz.
- ii) **Cllr Bennett** explained that he had asked Adam King about the layout for using up the spoil from the Trim Trail Path and Zip Wire creation. Cllr Bennett was concerned that if they were not planted that the BMX riders would use them and create mud. Rhinoplay and YGS will be working together to ensure the work is co-ordinated. The Woodland Trust trees will be available for planting in November. **Cllr Kenny** said that he would approach the scouts to see if they would help with the planting and **Cllr Smith** said that after the end of September, she would be more able to help with the tree planting.

**The Chairman** thanked all the councillors for their attendance and closed the meeting at 20:02 pm.

Anne Towill  
Clerk

## ANNEX A to Wembury Parish Council Minutes – 19<sup>th</sup> August 2019

### i) PLANNING APPLICATION DECISIONS BY WEMBURY PC

**2294/19/HHO – No Objection**

Householder application for front porch extension with pitched roof  
49 Veasy Park, Wembury. PL9 0EP

**2407/19/FUL – No Objection**

Erection of single dwelling.  
Tresco, Knighton Road, Wembury. PL9 0JD

**2297/19/HHO – No Objection**

Householder application for proposed removal of existing conservatory and construction of sun lounge.  
Tribbetts, Spring Road, Wembury Point PL9 0AU

**2302/19/VAR – No Objection**

Variation of condition 2 (approved plans) following approval 0338/19/HHO  
65 Church Road, Wembury. PL9 0JJ

## ANNEX B to Wembury Parish Council Minutes – 19<sup>th</sup> August 2019

### Appeal reference: APP/K1128/W/18/3215689

Wembury Parish Council- OBJECTION

Proposal: Outline application for the erection of 15 no. dwelling houses all matters reserved save for access and layout

Location: Site Address: South Barton Farm ,  
Veasy Park, Wembury, PL9 0ES

Appellants name: Mr B Stephens

Appeal start date: 16<sup>th</sup> July 2019

1. This appeal bears many of the hallmarks of appeal reference APP/K1128/W/18/3213309 Home Farm, Wood Lane, Slapton TQ7 2QX which was refused on the 25<sup>th</sup> June 2019.
2. In addition, Appeal Ref: APP/K1128/W/17/3179284 Blue Cedar Homes concerning a proposal for 15 dwellings on a site 204 metres South West from South Barton Farm, the current appeal site, was dismissed on the 8<sup>th</sup> November 2017. Details of this decision are appended.

### Procedural Matters

3. The revised National Planning Policy Framework (the Framework) was published in February 2019 and, as such, references to the Framework in this objection therefore reflect the revised Framework as published in February 2019.
4. During the course of this application (3769/17/OPA; South Barton Farm), the Plymouth and South West Devon Joint Local Plan 2014-2034 (the Joint Local Plan) was adopted and replaced the South Hams Local Development Framework Development Policies Development Plan Document (2010) and Core Strategy (2006).
5. The decision notice for this planning application stated that the application was contrary to Policies CS9 and DP2 of the South Hams Local Development Framework, Policies DEV23, DEV25 and DEV27 of the emerging Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework, in particular paragraphs 109, 114 and 115. Since that date the Plymouth and South West Devon Joint Local Plan has been adopted by South Hams District Council.
6. This appeal conflicts with Policies DEV8, DEV23, DEV24 and DEV25 of that Joint Local Plan.
7. It is necessary to consider Policy DEV8 “Meeting local housing need in the Thriving Towns and Villages Policy Area”, which needs to be read in conjunction with Policy TTV25 – Development in the Sustainable Villages. These policies exclude Wembury and make no demands for housing by virtue that Wembury lies within the AONB and this policy makes no demands for development therein.
8. This is because Figure 5.8 of TTV25 does not include allocations for villages within the AONB. This is in acknowledgement of the great weight that should be given to conserving their landscapes and scenic beauty

## Main Issues

The main issues are:

9. The effect of the proposed development on the character and appearance of the area, having regard to the site's location within:
  - a. the South Devon Area of Outstanding Natural Beauty (AONB),
  - b. the South Devon Heritage Coast and
  - c. the Undeveloped Coast as defined and referred to in Policy DEV24 of the JLP.
10. This site lies outside of the current development boundary and within the Undeveloped Coast, for which the development restrictions are outlined in Policy DEV24, and in particular paragraph 1 which demands that:

The application can demonstrate that it requires a coastal location.

11. The effect of the proposed development on highway safety, in that the access is not practicable and considered dangerous due to its narrow width, poor sight line and conflict with pedestrians.
12. Whether or not adequate arrangements are made for the disposal of surface water from the site.
13. A development of 15 houses was recently refused outside the same North East to South West Line which forms part of the development boundary partly due to it being a major development intruding into the AONB and the Undeveloped Coast. See Appendix.

## Reasons

### *Character and Appearance*

14. The appeal site is located on the south eastern side of Wembury set within a substantial plot. Part of an existing farm is positioned within the site, with the ground sloping downhill towards the South from the position of the farm which is sited in the north eastern section of the site.
15. The appeal site is located within the AONB and the Undeveloped Coast (Policy DEV24). Along with National Parks, AONBs are afforded the highest status of protection when it comes to their landscape and scenic beauty.
16. The site is positioned at the edge of the settlement outside the development boundary and is surrounded to North East, the South and South West by agricultural fields. The proposal would not fill an existing gap between developments and therefore would not constitute infill development. The appeal scheme would extend the built form of the settlement into the countryside, the Undeveloped Coast and the AONB.
17. This site is clearly visible from the Yealm and for a considerable distance. In this respect, given the predominately open nature of the surrounding landscape combined with the local topography, the site is prominent to public views within the immediate and wider surrounding area, and is highly visible to those making use of the South Devon Coastal Path and the National Trust area along the Undeveloped Coast.
18. The introduction of the proposed dwellings to the site would add to the built form within this rural countryside location. Parking and the paraphernalia associated with residential occupation would also add to the visual intrusion. Consequently, the proposal would harm the landscape and scenic beauty of the AONB and Undeveloped Coast.

19. For all of these reasons, the proposal would be a visually intrusive form of the development that would materially harm the character and qualities of the site at a sensitive interface between existing development and the open landscape.
20. As a result, it would be deleterious to the landscape qualities and the intrinsic character of this part of the AONB. Additional planting and landscaping conditions could not satisfactorily mitigate its harmful impact. The harm identified is a matter of particular importance as the site lies within the AONB, and the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in such locations. For these reasons, the proposal would also have a harmful effect on the character and appearance of the Heritage and Undeveloped Coast.
21. The proposal would therefore conflict with Policies DEV23, DEV24 and DEV25 of the Joint Local Plan and be contrary to the Framework, which, amongst other things, seek to ensure that local distinctiveness and the character and appearance of the area, including the scenic beauty of the AONB and the distinctiveness of the Heritage and Undeveloped Coast, is protected.

*Highway Safety*

22. Access to the appeal site would be from Veasy Park via a narrow, dog-legged, single-track lane which serves a number of dwellings within this part of the settlement. There is no walkway or pavement to protect pedestrians along this track. An existing bungalow, hedges and fences obstruct the sight line meaning that there is no clear sight line along the length of this track for pedestrians to see oncoming traffic around the corner.
23. The restricted visibility would therefore be likely to increase the risk of accidents on this part of the highway network.
24. The position of this bungalow, the hedges and fences means that anyone egressing from the site would not be able to see vehicles travelling along the narrow track towards them from Veasy Park until they were at the corner and in conflict.
25. The proposed siting of 15 additional dwellings in addition to the three that have recently been authorised at the site would, in our view, be likely to result in a significant increase in the number of vehicle movements to and from the site and would be likely to represent a significant increase in the amount of vehicle traffic using the narrow track off Veasy Park, which would be harmful to highway safety due to insufficient visibility towards the west.
26. For the reasons given, the proposal would have a harmful effect on highway safety. Consequently, the appeal proposal would not accord with paragraph 108 of the Framework which, amongst other things, requires that development provides safe and suitable access.

*Drainage*

27. There is dispute between the main parties as to whether the information supplied in support of the planning application with regards to the proposed surface water drainage management system, is sufficient.
28. The local drainage system has historic problems (which SWW may not be aware of) which will be made worse by this development. The site is much higher than adjacent buildings and so the proposed SUDS system of surface water drainage could cause drainage and flooding problems to adjacent properties.

**Other Matters**

29. Notwithstanding the above, the Framework recognises that new housing can contribute to the vitality of rural communities by helping to support local services.
30. As such, the additional households at the appeal site could play a small part in supporting the viability of services within the wider area. Additionally, the appeal scheme would provide for limited employment opportunities during the construction phase.
31. The proposed scheme would also provide some social benefits in terms of a contribution of five dwellings towards local housing supply. However, the benefits would be limited in nature due to the scale of the proposal. Consequently, the limited benefits of the appeal scheme would not outweigh the harm as identified above, particularly bearing in mind the degree of protection afforded to AONBs.
32. Other development of a similar scale has been refused just beyond the South West tip of this site for similar reasons of harm to the natural setting, the AONB and what is now referred to as the Undeveloped Coast, previously also referred to as the Coastal Preservation Area.
33. Sherford, a major new conurbation is only 10 minutes' drive away.
34. Following the Princes Foundation survey, this site was not identified as one suitable for development and it is a purely speculative development on good farmland currently being farmed.
35. This proposal will bring unacceptable skyline development which further encroaches into the AONB reducing the rural nature of the village.
36. There are already 3 new dwellings adjacent to this site, which means that the overall development for the whole site is 18 dwellings and not 15

### **Summary**

37. In summary, this appeal is in conflict with the Framework and The Joint Local Plan, and there is no further information put forward by interested parties which outweighs the harm that would be caused by the development.

### **Conclusion**

38. For the reasons given above, the appeal should be dismissed.

### **Appendix**

This appendix provides the Planning Balance and Conclusions of the failed appeal reference APP/K1128/W/17/3179284 by Blue Cedar Homes referred to above as the proposed development 204 metres to the South West.

*24. As I have concluded in the first main issue that the local planning authority cannot demonstrate a five-year supply of deliverable housing land, paragraph 14 of the Framework states that planning permission should be granted unless specific policies in the Framework indicate development should be restricted. Footnote 9 of the Framework lists AONB as one of the nationally important policy considerations that the need for housing must be balanced against.*

*25. In relation to the second main issue, I conclude that the proposal would harm the character and appearance of the AONB, to which I have attached great weight in the light of the requirement in paragraph 115 of the Framework to attach great weight to conserving the landscape and scenic beauty of AONBs, and also in relation to the relevant policies in the development plan decision.*



*26. In applying the planning balance, I conclude that the harm I have identified to the character and appearance of this coastal section of the AONB would comprehensively and decisively outweigh the lack of a five-year housing land supply in relation to the proposal. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.*

*Mike Fox*

Wembury Parish Council

19/08/19

*Page 1 of 1 Annex B*

## ANNEX C to Wembury Parish Council Minutes – 19<sup>th</sup> August 2019

	Opening	Transactions	Closing
<i>Total All Accounts at 22nd July 2019</i>	£ 184,540.48		
<b>FINANCIAL STATEMENT AUGUST 2019</b>			
<b>Guidebook Account</b>			
<i>Opening balance at 22nd July 2019</i>	£ 14,149.47		
Sales for Period 35		£ 70.00	
Copies remaining unsold - updated book 1,538			
August Interest		£ 0.61	
<b>Balance at 12th August 2019</b>			£ 14,220.08
<b>Instant Savings General Account</b>			
<i>General Opening Balance at 22nd July 2019</i>	£ 44,813.90		
August Interest		£ 7.12	
<i>Cheques</i>			
<i>From Youth Club for Skate Park Maintenance</i>		£ 744.18	
<i>Electronic Transfers / Payments</i>			
Transfer to Current Account		-£ 1,000.00	
<b>General Balance</b>			£ 44,565.20
<i>WPC S106 Money</i>	£ 123,022.20		
S106 Spending		£ -	
S106 Balance			£ 123,022.20
<b>Balance at 12th August 2019</b>			£ 167,587.40
<b>Current Account</b>			
<i>Opening Balance 22nd July 2019</i>	£ 1,947.27		
<i>Cheques</i>			
<i>Electronic payments/transfers</i>			
Clerk's Salary and Office Use July		-£ 1,055.61	
Transfer from General Account		£ 1,000.00	
Npower		-£ 64.29	
Konica printing		-£ 42.07	
<b>Balance at 12th August 2019</b>			£ 1,785.30
<b>Total All Accounts at 12th August 2019</b>			£ 183,592.78
VAT to be reclaimed			£ 620.25
<b>TOTAL</b>			£ 184,213.03

## ANNEX D to Wembury Parish Council Minutes – 19<sup>th</sup> August 2019

### WEMBURY PARISH COUNCIL BANK RECONCILIATION

DETAILS

12th August 2019 Financial Statement	WPC Book Acc	WPC General Acc	WPC Current Acc	TOTAL	VAT Outstanding	
Closing Cashbook Balance	£14,220.08	£167,587.40	£ 1,785.30	£ 183,592.78		
Lloyds Bank Statements	£14,200.08	£167,587.40	£ 1,921.66	£ 183,709.14	£ 620.25	Check
Difference	£ 20.00	£ -	-£ 136.36	-£ 136.36		£ -
Uncleared Book Income	£ 20.00					
Uncleared Cheque Expenditure						
Peter Whitley	£ 30.00					
Npower	£ 64.29					
Konica	£ 42.07					
<b>Total</b>	<b>£ 136.36</b>					
Uncleared Income						
Reconciliation to Cashbook	£14,220.08	£167,587.40	£ 1,785.30	£ 183,592.78	£ -	

Page 1 of 1 Annex D