

Minutes of a Meeting of the **BRENTOR PARISH COUNCIL** held in Brentor Village Hall
on **MONDAY** the **19th SEPTEMBER 2011** at **7.30pm**

Present: Cllrs J Burrows (JB), S Burrows (SB), C Friend (CF), J Drury (JD), A Frankland (AF),

In Attendance: 4 members of the public, Cllr Terry Pearce (WDBC), Mrs D Ashton (Parish Clerk)

Public Question Time:

Mr Jonathon Adams raised two items:

- His concern of the Parish Council's support of affordable housing within the village as implied in the minutes of the last meeting. Cllr Pearce clarified that within a settlement, affordable housing would be for solely local need only. Cllr Drury pointed out that it was not the Parish Council's policy to support or not support affordable housing but to consider the results of the survey and ensure all due diligence is given to what proposals may be put forward by engaging all interested parties.
- Neighbours of CHICKS were never consulted on the recent PA0263/11. Mr Adams had raised this issue with DNPA. Members advised that if neighbours did not make the Parish Council aware of their objections, the Parish Council could not take those comments into account when considering an application. The Clerk advised any applications to be considered at a meeting were advertised 3 clear days before the meeting on agenda on the noticeboards and website.

Mr and Mrs McMahon advised that they have offered a site at Lydford Stables to DNPA for affordable Housing. It is classed as an exception site as it is not within the settlement footprint. Mr and Mrs McMahon distributed a report to Members which was **NOTED**. Members were invited to view the site. The Clerk advised that although Members could view the site, the Parish Council cannot comments or make a decision on any particular site at this time. Cllr Friend was concerned that as the land was former railway land, there may be a covenant to prevent any such development.

8318. APOLOGIES FOR ABSENCE were received from Cllrs Beavon and Hill. In the absence of the Chair and Vice-Chair, it was **AGREED** for Cllr S Burrows to Chair the meeting (proposed by Cllr J Burrows and seconded by Cllr Drury).

8319. DECLARATIONS OF PERSONAL AND PREJUDICIAL INTEREST None

8320. MINUTES It was **AGREED** that the Minutes of the meeting held on 1st Aug 2011 be adopted.

8321. MATTERS ARISING FROM THE MINUTES NOT LISTED AS SEPARATE ITEMS ON THIS AGENDA
Members **NOTED** the action tracked circulated with the agenda.

8322. REPORTS FROM COUNCIL REPRESENTATIVES ATTENDING MEETINGS/EVENTS OF OTHER AGENCIES
None

8323. PLANNING MATTERS

- No planning applications had been received.
- The following planning decision notices were **NOTED**:

		<u>WDBC</u> <u>Decision</u>	<u>BPC</u> <u>Comment</u>
WDBC 01695/2011	Listed Building application for re-roofing of main roof and porch, replacement of rainwater goods and re-fitting of slate hanging by Mr Bennett at Burcombe Farm, Brentor, PL19 0NQ	CONSENT	Support

WDBC 01711/2011	Listed Building application for insertion of replacement window and doors by Mr Bennett at Burcombe Farm, Brentor, PL19 0NQ	CONSENT	Support
DNPA 0263/11	Timber barn for storage and recreational use at Moorland Retreat, Bonnaford, Brentor by Mr R Taylor	CONSENT	Support

c) DNPA Draft Development Management and Delivery Development Plan Document:

A working party had met to discuss the above and submitted their recommended comments for approval by Council (attached as appendix 1). It was **AGREED** for these comments to be submitted as the Parish Council's comments on this draft document. Clerk to submit comments.

Clerk

d) Parish Housing:

The working party which met to discuss **(c)** above also recommended arranging an open evening in November in order to inform villagers of current policies and proposals regarding affordable housing in North Brentor. The aim would be for villagers to come and speak on a one to one basis with representatives of DNPA, WDBC and the Rural Housing Enabler. It was **AGREED** to arrange such an event in November from 4pm to 8pm. Clerk to arrange a date with the relevant representatives and submit an article to the Brentor News to advertise event and seek advance questions from parishioners.

Clerk

e) Brentor Inn:

The Clerk advised Members that DCC Cllr Christine Marsh had pursued this with the WDBC enforcement officer. WDBC update as follows (circulated to Members with the agenda):

'Our policy makes the change of use of village assets like pubs to use as a private dwelling unlikely without a justifiable reason. We do not have the power to keep the doors of the business open or make them trade.

The Brentor Inn ceased trading as a public house circa 2004. However, there is no evidence to indicate a change of use. During the last visit, about a year ago, it was noted that the bar and bar area was still intact but there were no glasses or bottles visible. The closure of the business does constitute a change of use. Although Business rates for the ground floor have not been paid for a number of years, Council Tax is only being paid on the first floor accommodation, not the ground floor. There are no visible signs to indicate that use of the business area of the building is as a dwelling.

We recently inspected the site and can confirm that the ground floor of the Brentor Inn is not being used for residential accommodation. The planning permission for alterations and extension included the demolition of a former rear extension. This extension has been demolished, therefore the permission is "live".

We have been advised that it is the intention of the owners that once the "managers dwelling" is ready for use, the two couples in the Brentor Inn will move into the managers dwelling and caravan to enable builders to work on renovation and extensions.'

Members felt that as the Brentor Inn is unable to trade, there is no need for ancillary accommodation. Members asked the Clerk to write to WDBC to confirm when the visit took place and to ask why business rates **are not** being charged.

Clerk

8324. PUBLIC TOILETS AT CHURCH TOR

DNPA had declined the Parish Council's request for a contribution to the toilets. WDBC had not yet responded to the Parish Council's request for answers to the points raised at the June meeting. Clerk to chase-up WDBC again. To remain an agenda item

Clerk

8325. WHEELWRIGHT'S STONE

The Clerk read out a letter which had been received from Mr and Mrs Pancheri's solicitor:

'Mr and Mrs Pancheri are happy to relinquish the stone to the care of the legitimate owner if required and if it can be properly protected. Mr and Mrs Pancheri had been awaiting evidence from Mr Cunningham to prove his legitimate ownership and had seen his letter of 21st July to the Parish Council stating he does not wish to claim ownership (the Clerk stated for the record that she had not supplied/given access to Mr Cunningham's letter to the Parish Council to anyone outside of the Parish Council). As the legitimate owner cannot be discovered, Mr and Mrs Pancheri are discussing the matter with DNPA. Mr and Mrs Pancheri do not feel able to agree to the stone being removed from their custody without DNPA's and/or the legitimate owners request and consent. Mr and Mrs Pancheri are concerned about the Parish Council's pursuance of this matter without apparently any legitimate basis'.

The Clerk had contacted DNPA to request the Parish Council be kept informed as it is a matter of interest to the parish. DNPA's Senior Archaeologist had advised that Mr and Mrs Pancheri had sought advice on how to secure the stone and asked for it to be microchipped. DNPA have advised that the first priority is for the ownership and the ultimate location of the stone to be agreed to the satisfaction of all interested parties.

Members invited comment from Mr Mike Whitfield who was present as a member of the public. Mr Whitfield gave a brief history on the wheelwrights' stone for the benefit of the new Members and referred them to a report he produced in 2010 (previously circulated to Members). Mr Whitfield believes a stone was removed from the smithy shop which was the anvil stone - this would have been the only stone found inside the premises not the wheelwright's stone.

Members discussed the following points:

- Cannot understand why Mr and Mrs Pancheri will not relinquish stone.
- Why has their offer to relinquish the stone failed for a third time?
- Why did Mr and Mrs Pancheri believe they had the right to move it when legitimate ownership clearly had not been established when it was moved?
- Why is it appropriate for the stone to remain in their custody?

It was **AGREED** for the Clerk to communicate to Mr and Mrs Pancheri's legal representative the above points.

Clerk

It was **AGREED** to write to Mr Cunningham asking that if he agrees to claim and prove ownership, the Parish Council will endeavour to facilitate reinstatement of the stone at no cost to him.

Clerk

8326. NORTH BRENTOR MAIN ROAD - SPEED LIMIT

The Clerk advised that information on organising cycle road races had been received - **NOTED**.

With regard to the request to DCC for the criteria for reducing the speed limit to 40mph on the main road through North Brentor following speed checks undertaken in 2010, no response had yet been received. Following discussion on the issues of speeding along this part of the road, the Clerk is to ask Cllr Marsh to raise this at the forthcoming DCC Highways Surgery meeting. Cllr Burrows to confirm with Clerk locations on North Brentor road that 40mph should be applied to.

Clerk
JB

Members also discussed the speeds of vehicles including the local bus service through the village from Green Acre through to Station Road. Members felt the speed limit should be 30mph and advertised as such. Clerk to write to bus company and to submit an article to Brentor News asking drivers to take more care.

8327. PARISH LENGSTHMAN

Cllr Burrows had requested this item in order to deal with issues arising from blocked roadside drainage culverts and gulleys. If parishioners have any issues, the Parish Council will report them to the Parish Lengthsman - Clerk to submit an article to Brentor News.

Clerk

8328. CEMETERY

a) The Clerk had received a request from a resident neighbouring the cemetery to investigate ownership of the Beech tree boundary 'hedge' with a view to eventually reducing the size/number of trees. Those residing nearby the trees find their current size/volume oppressive. Clerk to investigate boundary ownership.

Clerk

b) The grass-cutting contractor had advised that his contract was due to end in November. Cllr Burrows did not recall there was any formal contract with the contractor. It was **AGREED** to go to tender on expiry of the current arrangement. Clerk to submit an article to Brentor News.

Clerk

8329. DRAFT STANDING ORDERS AND FINANCIAL REGULATIONS Yet to be completed.**8330. GENERAL FINANCE**

The Clerk distributed to Members a finance report and bank reconciliation and cashflow sheet based on last bank statements received dated 15th Aug - **NOTED**. The Chair had inspected the bank statements.

Main A/c: Sept 2011 3500.00 Precept 2011/2012 - 2nd instalment

It was **AGREED** to approve the following payments:

Main A/c:

<u>Payee</u>	<u>Payee Ref</u>	<u>Gross £</u>	<u>VAT £</u>	<u>Council Ref</u>	<u>Reason</u>
D Ashton	Sept 2011	138.33	-	s/o	Clerk's salary Mth 6
DALC	2164	25.00	-	000379	Model Standing Orders
Brentor Village Hall	Sept 2011	500.00	-	000380	2 nd part £1000 grant towards Village Hall insurance (Jan 2011 meeting min 8230)
Anne Clark	2011-2012	60.00	-	000381	Bus shelter annual cleaning cost
Spoilt cheque D Ashton	Aug/Sept 2011	47.41	-	000382 000383	Clerk's admin expenses
Total		770.74	-		

Cemetery A/c:

<u>Payee</u>	<u>Payee Ref</u>	<u>Gross £</u>	<u>VAT £</u>	<u>Council Ref</u>	<u>Reason</u>
T Liversidge	20/06/2011	38.00	-	000086	Cemetery grass-cutting
T Liversidge	05/07/2011	38.00	-	000086	Cemetery grass-cutting
T Liversidge	20/07/2011	38.00	-	000086	Cemetery grass-cutting
T Liversidge	01/08/2011	38.00	-	000086	Cemetery grass-cutting
T Liversidge	22/08/2011	38.00	-	000086	Cemetery grass-cutting
Total		190.00			

8331. CORRESPONDANCE

Members **NOTED** the list of correspondence (*circulated by the Clerk at the meeting*). Cllr Friend to attend Southern Parishes Link Committee meeting on 22nd Sept.

CF

8332. MINOR ITEMS

Cllr Drury had investigated SWW's Dartmoor land for sale. SWW has placed over 1000 acres of land that it owns on Dartmoor on the market - to be sold by auction. The agents advertising board had concerned several parishioners as it implied that there was some kind of development planned for the land. This was in actual fact just the advertising strapline for the agents. SWW have placed a covenant giving them a claim to 50% of any revenue from the new owners arising from wind/solar generation. DNPA had confirmed that as this land is conservation moorland the scope for change for anything other than grazing is highly unlikely. There are two legal pack workshops for interested parties - 21st Sept and 19th Oct.

The Clerk advised that she will be arranging a Parish Council poppy wreath for the Chair to lay at the Remembrance Service. Clerk to liaise with the Chair. Cllr Burrows can advise on what is required.

Clerk

8333. ITEMS FOR THE NEXT AGENDA

Clerk to invite DNPA Ranger to next meeting

Clerk

8334. DATE AND TIME OF NEXT MEETING: Monday 14th November 2011, 7.30pm, Brentor Village Hall

8335. CLOSE The meeting was formally closed at 9.29pm.

APPENDIX 1 to minutes of 19th Sept 2011 meeting of Brentor Parish Council

Draft response to DNP's consultation on the Development Management and Delivery Plan Document (DMD)

Notes by Cllr Tim Beavon of a working party meeting on the above on 15/08/2011

Members of the parish council met informally in August to consider the DMD, to allow a report to be drawn up for consideration at the Council meeting on 19 September. Some councillors had already attended consultation events out on by DNP.

The Council welcomes the consultation process and is generally supportive of the draft document. Draft policies of particular relevance to the parish were considered in detail, and the Council's comments on these policies are set out below.

1. The Localism Bill

It is noted that this bill will provide communities with the opportunity to prepare neighbourhood plans and development orders. The Council would welcome advice on how this could fit with the development and consideration of proposals for affordable housing in North Brentor.

2. DMD8: The quality and distinctiveness of the local environment

The Council strongly supports the policy for high quality design and construction. It is considered that the establishment of a design review panel would considerably strengthen the implementation of this policy. It would allow a broad range of professional expertise on the built environment to influence the design of new development at the earliest possible stage, rather than relying solely on the views of development control officers with limited design expertise.

3. DMD9: Development in or affecting a conservation area

The Council supports all aspects of this policy.

4. DMD16: Small scale renewable energy schemes

The Council would like to see this policy backed up by a policy and actions to promote the use of such schemes in any new development. As a minimum it is considered that any new development should be required to investigate the possibility for incorporating renewable energy and provide a sound justification for its exclusion.

5. DMD21: Telecommunications development

The Council has no comment on the policy as drafted. It is considered that there should be policies included to encourage the provision of broadband infrastructure to help overcome the poor service currently suffered in much of the National Park and is unlikely to be significantly improved (ie to superfast broadband) by Devon County Council's BDUK funded project. This could include, but not be limited to, a requirement for new development to provide infrastructure for high speed broadband access. As improvement of broadband services to smaller settlements will be determined by infrastructure provision in larger settlements a co-ordinated approach is considered essential and opportunities provided for communities to take the initiative in addressing this issue.

6. Policies DMD 23 and 24: Residential development

The Council supports both these policies as drafted.

7. DMD25: Extensions and alterations to dwellings

This policy is supported.

- 8. DMD 26, 27 and 28: Ancillary accommodation, Agricultural and holiday use conditions, Replacement dwellings**
These policies are supported.

9. DMD 29: Residential caravans

The Council considers that this provision should be extended to cover substantial alteration or refurbishment of an existing dwelling. Time limits should be properly justified by the applicant and extensions of time only given in exceptional circumstances. Where a development straddles the boundary between the DNP and WDBC planning authorities there should be a co-ordinated approach to this policy.

10. DMD 41: Off street parking provision for new development: residential

This policy is supported. Car parking spaces created as a result of this policy should be maintained as such for the lifetime of the development.

As a designated Rural Settlement it is understood that there is no defined settlement boundary for North Brentor. The Council accepts this but will expect any proposals for affordable housing to fully respect the provisions of policies DMD9 and DMD 23.

In order to inform villagers of policies and proposals regarding affordable housing in North Brentor the Council is considering holding an open evening in November at which villagers would be able to become fully informed of the current position and speak on a one to one basis with representatives of DNP, WDBC and the Rural Housing Enabler. We will be in touch with relevant officers to discuss arrangements.