

FROGMORE AND SHERFORD PARISH COUNCIL
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MINUTES OF A VIRTUAL MEETING HELD BY E-MAIL 20th APRIL 2020
Compiled from e-mailed responses to an agenda

Responses from	Cllr Nigel Smith	NS	Chairman
	Cllr Ravi Balasingam	RB	
	Cllr Su Beswick	SB	
	Cllr Peter Hadley	APH	
	Cllr Paul Harding	PJH	
	Cllr Steve Hart	SH	
	Cllr Ben Johnson	BJ	
	Cllr Antony Marshall	AM	
	County Cllr Julian Brazil	JB	
	District Cllr Richard Foss	RF	
	Peter Javes		Clerk

49/20 OPEN FORUM

See minute 42/20 below: Snow Warden

50/20 DECLARATIONS OF INTEREST:

AM re planning, minute 03/38 below.

51/20 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 16th March 2020 were accepted as a correct record of proceedings.

52/20 MATTERS ARISING

52.1 Electronic speed sign: A final decision on DCC policy was awaited.

52.2 Pontoon: Nothing to report.

52.3 Frogmore Children's Playground: An application had been made to SHDC for a grant of £500.
PJH has now received quotations from two companies regarding play equipment. As further site meetings will be required he has suspended this project until the present Covid Lockdown improves.

52.4 Frogmore Snow Warden: A volunteer was needed to take up this position for Frogmore.

53/20 COUNTY COUNCILLOR

JB had kept the PC advised of DCC initiatives on Covid-19.

54/20 DISTRICT COUNCILLOR

RF had endorsed the grant application, see 52.3 above.

55/20 PLANNING

Current applications

55.1 3941/19/PDM Barn at Hill Farm, Sherford, TQ7 2AX

Application withdrawn

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- 55.2 0771/16/OPA Land at Green Park Way, Chillington - 62 new houses**
See Annex A for update
- 55.3 3318/19/VAR and 1861/18/FUL Eastern Field Barn, Homefield Park Farm, Sherford TQ7 2AT** (Demolition of existing barn and construction of replacement dwelling (following approval 0338/17/PDM) with associated access and landscaping) (resubmission of 3318/19/VAR)
No new posting on the portal for planning application 3318/19/VAR or any other application concerning this property. So no action available to us - other than to request details from SHDC.
- 55.4 0556/20/FUL Malston Farm, Sherford, TQ7 2BB**
No objection filed
- 55.5 4039/18/FUL: North Pool slurry lagoon**
APH noted that there had still been no decision on this application which had been pending for some considerable time...

56/20 FINANCE

Bank balances as at 20th April	£
Current account	5,950.60
Deposit account	15,250.36
TOTAL	21,200.96

Payments since last meeting

50	SHDC	Payroll service	120.00
01	Stokenham PC	Night landing site	1,000.00
02	HMRC	Clerk's income tax	100.41
03	Sherford VCA	Hire of hall	17.00
04	Sherford VCA	Neighbourhood Plan	59.50
05	DALC	Subscription	95.00
06	Peter Javes	Clerk's remuneration	202.60
	TOTAL PAYMENTS		1,594.51

Receipts last meeting

Lloyds Bank	Interest	0.65
SHDC	Precept 20-21 , first tranche	4,000.00
SHDC	Council tax support grant	157.00
	TOTAL RECEIPTS	4,157.65

The annual audit of the PC's affairs was in progress by e-mail.
The Clerk would shortly claim payment from HMRC of VAT incurred in the last year, totalling £274.99.

- 57/20 COVID-19 UPDATE.**
Both villages are meeting the needs of their communities and providing important information on medical and retail services and public notices. The PC has sought to back this up on the website by providing information in a printer-friendly version.

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NS recommended that the PC would consider a need for funding to meet a specific need resulting from the Covid-19 lockdown. Requests would need to come from the village community associations and approved by the PC.

Grants of up to £250 are available from SHDC.

58/20 NEIGHBOURHOOD PLAN

See APH's update at Annex B below.

59/20 CHILLINGTON AIR AMBULANCE NIGHT LANDING SITE

The PC had paid the agreed contribution of £1,000 to Stokenham PC.

60/20 COUNCILLOR REPORTS

60.1 **TREES:** SH had noted a few trees on Sherford Lane and other areas that are potential dangers in the way they hang over roads with apparently little support, but the roots of these trees go far and deep and they have been there for many a year so unless there is a landslide/slip they seem fine, but worth keeping an eye on.

Grants/funds remain available for various schemes regarding planting if anyone knows of a willing landowner who has some space.

60.2 **WEBSITE ACCESSIBILITY:** BJ had reported previously that the website needed to be professionally scrutinised to conform to the new web content accessibility guideline at a cost of £160. **APPROVED**

60.3 **FROGMORE STEPS:** Work on hold until the contractor returns to work.

60.4 **SHERFORD WAR MEMORIAL:** Action now on hold.

61/20 STRETE GATE MONUMENT, NEW LOCATION

Action now on hold.

62/20 ENVIRONMENTAL FORUM

Deferred to a later date.

63/20 ANY OTHER BUSINESS

SPRINGFIELD FARM SHOP, PROPOSED CARAVAN SITE

APH had spoken to the Springfield site owner who had advised that the Caravan and Camping Club has applied to SHDC and received licence approval for a five touring caravans site on the land adjacent to the Springfield shop (west side). Thus he is now preparing five level parking sites and installing water and septic tank sewage. No new buildings are foreseen. Caravan access will be through an existing gate west of Springfield shop.

This would appear to be a legitimate tourism initiative. SHDC is to establish whether the commenced and intended ground works require planning permission.

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CLEAR VALLEY, SHERFORD: AM has been asked to look at Clear Valley (new build next door to Sherford village hall), a subcommittee of AM, SB and APH will review. AM, SB, PJH

64/20 MEETINGS CALENDAR 2020

18 th May - Sherford	
15 th June – Frogmore	20 th July – Sherford
August – no meeting	
21 st September – Frogmore	19 th October - Sherford
16 th November - Frogmore	December – no meeting

DATE OF NEXT MEETING: Scheduled for Monday 18th May in Sherford and councillors will try to meet via Zoom.

Annex A: Planning Application Ref: 0265/20/ARM Status

1. The PC's report, recommending refusal of a 62 dwelling application due to severe flooding risk, was submitted 18th March 2020 and published on the SHDC planning portal.
2. The application is yet to be determined. However, Acorn Property Group has now appealed their previous, similar application, ref: **3193/18/ARM** which was refused on 13th September 2019. This application appears to have had substantially less robust drainage proposals.
3. The current **and previous** application were, however, supported at the technical level by Devon County Council's Flood Risk Engineer, Flood & Coastal Risk Management Team (**Appendix 1**)
4. The Appellant's Appeal Statement centres on this support, contending that it was '*unjustified and unreasonable that (the LPA's DMC) Members, who are not specialists in this field, should come to a different view and consider that insufficient evidence (for refusal) has been provided.*'
5. The Chillington Green Park Way Association has circulated the following community email (text):

*'I want to make you aware that Acorn (via their agent Barton Willmore) have formally lodged an appeal against the Refusal decision to their **previous application**. The details are on the old planning reference **3193/18/ARM** on the Planning Portal here:*

<http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/183193>

In particular please take a look at the final page of their Statement of Case, where they imply their main case is because the Development Management Committee (DMC) did not accept the technical advice from DCC Flood Risk Team, the Lead Local Flood Authority (LLFA). In fact, our argument would be that, as a democratic body, the members of the DMC were within their constitutional rights to decide and vote as they did. They are under an obligation - morally and professionally, to consider carefully all the expert advice, that is why they are there. There was a huge amount of compelling professional evidence from Dr Bennett for them to weigh against the advice of DCC LLFA.

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If the appeal is successful Acorn are likely to revert to the previous scheme, especially if the current one fails or is still being considered.

What can we do? - please read the appeal case and be ready to submit an objection when there is an actual Inspector appointed. The process would normally take months just to appoint an Inspector, who would then conduct a site visit - but at the moment all visits and activity is suspended by Covid-19 issues. We will monitor the process and let you know a contact when we feel matters may be moving forward and the most effective action we can all take.

In the meantime - please continue to object to the current application if you feel -
a) nothing has improved for you with the new revisions, or
b) you feel your situation has been made worse by the new revisions.

The statement by Acorn/Barton Willmore claims they have **considered and dealt with all relevant concerns and objections** and the current application now needs to be approved - do you agree? If not please say so to:

Cllr Julian Brazil julian.brazil@devon.gov.uk as well as copying to Chair of Stokenham Parish Council clerk@stokenham-pc.gov.uk

Please also copy it to the planning portal, Lor@swdevon.gov.uk quoting the current application ref: 0265/20/ARM.

The new closing date for submissions is 8th May 2020.'

Parish Council Action : Having already objected to an application with 'better' but, in our judgement, still unsatisfactory, drainage proposal we should consider the Parish Council's response to the Appeal case. Accordingly, opinions are requested for the PC meeting.

ANNEX B: NEIGHBOURHOOD PLAN UPDATE

50 (approx.) full Regulation 14 draft Plan consultation policy returns had been received to date.

Due to the Covid-19 lockdown we have extended the current Regulation 14 consultation programme for 4 weeks, now ending 1 May 2020. This extension was agreed with SHDC's Neighbourhood Planning Officer and they continue to accept Regulation 15 submissions. Noted, however, is advice from MHCLG that '*under Regulations linked to the Coronavirus Act 2020 no elections or referendums can take place until 6th May 2021. These provisions will be kept under review and may be amended or revoked in response to changing circumstances*'.

MHCLG comments further '(We) understand this will be frustrating for communities that have dedicated significant time and effort to the neighbourhood planning process and naturally want their plans to come into force as soon as possible.' With this in mind, they have updated current planning guidance to set out that neighbourhood plans awaiting referendums can be given significant weight in decision-making.

Once we submit the draft Plan to SHDC (Regulation 15), they will then advertise a further 6 week consultation period (Regulation 16). Further representations at this stage will be submitted to their expert examiner along with the draft Plan for scrutiny before the referendum.

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The principle issue determining SHDC's programme is the consideration that those without access to the internet will be severely disadvantaged if the consultation is purely web based. Regulation 16, which governs the method of consultation, requires that hard copies of the Plan must be available for public inspection both within the Parish and at the Council's offices:

REGULATION 16. *As soon as possible after receiving a plan proposal which includes each of the documents referred to in regulation 15(1), a local planning authority must—*

(a) publicise the following on their website and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area—

(i) details of the plan proposal;

(ii) details of where and when the plan proposal may be inspected;

(iii) details of how to make representations;

(iv) a statement that any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to the neighbourhood development plan; and

(v) the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised; and

(b) notify any consultation body which is referred to in the consultation statement submitted in accordance with regulation 15, that the plan proposal has been received.

The Neighbourhood Plan Steering Group will report the results and issues arising from the Regulation 14 programme to the May meeting.