

BRAUNTON PARISH COUNCIL



Minutes of the Braunton Parish Council meeting held on Tuesday 9 November 2021 at 7:00 pm in the Parish Hall, Chaloners Road, Braunton.

	<u>Present</u>	<p>Cllrs: E Spear in the Chair, D Spear, R Shapland, M Shapland, E Wood, B Bunyard, D Relph, G Bell and P Lord.</p> <p>Officers: T Lovell, Parish Clerk & RFO.</p> <p>Devon County Cllr: Pru Maskell.</p> <p>7 members of the public.</p>
94/2021/22	<u>Apologies</u>	<p>Received and accepted from:</p> <p>Cllr A Bradford due to family commitments.</p> <p>Cllr V Cann and J Chesters were indisposed.</p> <p>Cllr A Bryant due to self-isolating.</p>
95/2021/22	<u>Items not on the agenda, which in the opinion of the Chairman should be brought to the attention of the Council</u>	<p>Cllr Bunyard updated members regarding the Braunton to Saunton Cycle route. Discussions have taken place with the Saunton Golf Club and these are ongoing. The next step would be to establish a Steering Group Working Party to oversee the project and continue to engage with landowners. Cllr Bunyard would like to provide a more detailed report at future Council meeting.</p>
96/2021/22	<u>Declarations of Interest</u>	<p>Cllr M Shapland declared a non Pecuniary interest in Minute Ref: 116/2021/22, as she knows a senior member of staff who works at one of the Link Centres.</p> <p>Cllr M Shapland declared a non Pecuniary interest in Minute Ref: 123/2021/23, as St. Brannock's Church is involved with the Christmas Carol Service.</p> <p>Cllr R Shapland declared a non Pecuniary interest in Minute Ref: 16/2021/22, as he knows a senior member of staff who works at one of the Link Centres.</p> <p>Cllr R Shapland declared a non Pecuniary interest in Minute Ref: 123/2021/22, as St. Brannock's Church is involved with the Christmas Carol Service.</p>

97/2021/22	<u>Public Participation</u>	A member of the public addressed the Council regarding planning application 74128. The applicants have relocated their family home, and propose to make alterations to the existing dwelling in keeping with the existing structure and surrounding area. The applicants would be happy to provide further clarification if required.
98/2021/22	<u>Request for Dispensation</u>	There were none.
99/2021/22	<u>Minutes</u>	<p>RESOLVED:</p> <p>(a) That the Minutes of the Council meeting held on 12 October 2021 be approved and signed as a correct record.</p> <p>(b) To ratify and adopt the Minutes and recommendations contained therein of the Finance and Administration Committee meeting held on 2 November 2021.</p> <p>(c) To ratify and adopt the Minutes and recommendations contained therein of the Property Committee meeting held on 8 November 2021.</p> <p>(d) To ratify and adopt the Minutes and recommendations contained therein of the Parks and Gardens Committee meeting held on 8 November 2021, attached</p>
100/2021/22	<u>Action Sheet</u>	<p>RESOLVED: That the Action Sheet be noted. (NC)</p> <p>(NC)</p>
101/2021/22	<u>Police Representation</u>	<p>RESOLVED: That the latest police newsletter be noted. (NC)</p> <p>(NC)</p>
102/2021/22	<u>Report from Devon County Councillor</u>	<p>Members considered the County Cllr report, circulated prior to the meeting.</p> <p>The Council Cllr explained that four members including herself had expressed their concern regarding the proposed closure of the North Devon Link Centres. She would be attending a meeting on Friday to discuss the results of the consultation but it was not clear whether she would be permitted to speak or vote at the meeting.</p> <p>Braunton is no longer sharing a Pharmacist with Ilfracombe which should improve the service at the Lloyds Pharmacy in Braunton. The County Cllr agreed that it is not acceptable for elderly people to have to queue standing in the wind and rain.</p>
103/2021/22	<u>Report from North Devon District Councillors</u>	<p>Cllr E Spear had requested the North Devon Council Crime Prevention team to patrol the Recreation Ground due to the levels of anti social behaviour being experienced.</p> <p>Cllr D Spear reported that the 4 December is Small Businesses Day in the UK and North Devon have plans in place to support its small businesses.</p>

Untreated sewerage being released into our waterways is a very serious issue. It is an absolute disgrace that water companies have been allowed to contaminate our rivers and seas. This impacts on peoples health as pollution gets into the food supply chain. Cllr D Spear is glad that the Parish Council is recognising this issue.

104/2021/22

**Braunton
Community Tree
Planting /
Queen's Green
Canopy**

- (a) The Clerk reported that the Council had been unsuccessful with its bid to the Devon Emergency Fund to plant trees to mark the Queen's Jubilee.
- (b) Geoff Triggs from the Braunton Caen Rotary Club requested members support to plant Woodland Trust trees in Spring 2022 by providing suitable land where the trees could be planted.

RESOLVED: That the Council grants permission for the Braunton Caen Rotary and Braunton Academy to plant trees on the open space land behind Georgeham Cross adjacent to the Tarka Trail.

105/2021/22

Planning

Cllr E Spear, D Spear and J Chesters in their capacity as North Devon Councillors, stated that any opinions expressed during discussions on the following planning applications represent a preliminary view and that they will naturally reconsider the application fresh when presented all the facts at principal level.

The Chair requested the Lead Member for Planning Cllr M Shapland, to present the planning applications

(a) 74209

Proposal: Conversion of garage into ancillary accommodation.

Location: The Thatched Barn, Saunton, Braunton, Devon EX33 1LS

Applicant: Mr Mark Thompson

It was proposed by Cllr D Spear, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval subject to adequate drainage being implemented.

(8.0.1abs)

(b) 74091

Proposal: Siting of a permanent agricultural workers dwelling.

Location: Land at Winsham Cross Farm, Winsham, Knowle, Braunton EX33 2LX

Applicant: Mr & Mrs Peter & Michelle Sharland

The Chair proposed and it was unanimously agreed to suspend Standing Orders to allow the Applicant to speak.

The Applicant explained that it was not his intention to

install solar panels on the dwelling as the farm is already covered in solar PV panels, which helps to sustain the farm's energy use and the remaining 50% is exported off site.

RESOLVED: That Standing Orders be reinstated. (NC)

It was proposed by Cllr R Shapland, seconded by Cllr M Shapland to recommend approval.

RESOLVED: That the Council recommends approval subject to the dwelling being tied to the agricultural land. (NC)

(c) 74156

Proposal: Variation of condition 2 (approved plans) planning permission 71063 (single storey extension to dwelling) to allow for change to roof design from mono-pitch to a flat roof together with alterations to boundary wall.

Location: 2 Orchard Road, Knowle, EX33 2LY

Applicant: Mr John Garner

It was moved by Cllr D Spear, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval. (NC)

Cllr E Wood and G Bell declared a non Pecuniary interest.

(d) 74143

Proposal: Demolition of 4 flats and erection of 8 affordable dwellings including 1 bespoke disabled specification bungalow.

Location: Land at Barton Avenue/Vellator Way, Braunton, Devon EX33 2BA

Applicant: Ms S Hayne

It was moved by Cllr G Bell, seconded by Cllr D Spear to recommend approval.

RESOLVED: That the Council recommends approval. (NC)

(e) 74124

Proposal: First floor extension over existing porch to form en-suit to master bedroom.

Location: 7 Chapel Street, Braunton, Devon EX33 1EL

Applicant: Mr S Gee

It was recommended by Cllr R Shapland, seconded by Cllr G Bell to recommend approval.

RESOLVED: That the Council recommends approval. (NC)

(f) 74256

Proposal: Listed building consent for conversion of existing

barn and lean-to to extend existing house and locate new holiday accommodation.

Location: The Long House, Nethercott, Braunton, Devon EX33 1HT

Applicant: Sophy Miller

It was moved by Cllr D Spear, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval.

(NC)

(g) 74235

Proposal: Conversion of existing barn and lean-to to extend existing house and locate new holiday accommodation.

Location: The Long House, Nethercott, Braunton, Devon EX33 1HT

Applicant: Sophy Miller

It was moved by Cllr D Spear, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval.

(NC)

(h) 74128

Proposal: South Lobb House: demolition of rear extension & erection of a two-storey replacement, side two storey extension, general internal remodelling, raised terrace over existing porch, new windows throughout. Demolition of outbuilding and replacement with single storey outbuilding housing pool plant, wc & changing area. New entrance off existing lane to create a separate parking and turning area away from existing holiday accommodation. South Lobb Cottage: implement of a new raised terrace and removal of existing window in favour of a door providing access to terrace itself.

Location: South Lobb Cottage, Braunton, Devon EX33 1JF

Applicant: Mr & Mrs Pavitt

It was moved by Cllr G Bell, seconded by Cllr E Wood to recommend refusal on the grounds that the demolition of the porch and pool house would result in loss of protected species habitat including the brown long-eared bat day roosts and the common pipistrelle bat day roosts. A European Protected Species Licence (EPSL) from Natural England would be required.

(4.4.1abs)

The Chair's casting vote resulted in the motion falling.

RESOLVED: That the Council recommends approval subject to the comments made by the Sustainability Officer that adequate protections are put in place for the brown long-eared bat day roosts and common pipistrelle bat day roosts.

(4.4.1abs)

The motion was passed with the Chair's casting vote.

(i) 74280

Proposal: Application for consent for trees covered by a tree preservation order in respect of felling of 3 Beech trees.

Location: Tatra Lodge, Seven Acres Park, Braunton, Devon EX33 2PD

Applicant: Mrs Debra Almond

RESOLVED: That the Council wishes to comment that the trees are a major part of the existing street scene, and it would query the issues that have been raised by the Applicant as the trees were in situ before the houses. The Council wishes to refer the application to the North Devon Council Countryside and Landscape Officer for their consideration.

(NC)

(j) 74165

Proposal: Listed building consent for the replacement of all windows and side and rear doors.

Location: Jasmine Cottage, 47 North Street, Braunton, Devon EX33 1 AP

Applicant: Mrs Pamela Scott

It was moved by Cllr D Spear, seconded by Cllr G Bell that the Council recommends approval.

RESOLVED: That the Council recommends approval.

(NC)

(k) 60823 - Appeal Reference: APP/X1118/W/21/3283943

Proposal: Hybrid application: (A) full application for access, scale & layout of site including raising of ground levels, site access works & highway infrastructure, together with purpose built bat building, (B) outline application for 250 dwellings (Use Class C3(a)), up to 3000sqm employment space (Use Class E(g)(i) and E(g)(ii) was Use Class B1). Retail Space of up to 250sqm gross floorspace (Use Class E(a) was Use Class A1); Space for the Sale of food and drink of up to 2000sqm Gross floorspace (Use Class E(d) (e), E(f) and F1(a), F1(b), F1(e), and F2(b) was Use Class D1 and D2); (C) all associated infrastructure incl. removal of any contamination, roads, footpaths, cycleway, drainage (incl. attenuation works), flood defence works, landscaping & appearance, public open space, utilities & vehicle parking, including demolition of buildings (amended scheme & supporting documents) (Amended description).

Location: Former Yelland Power Station, Lower Yelland, Yelland, Barnstaple, Devon, EX31 3EZ.

Applicant: Yelland Quay Ltd

It was moved by Cllr D Spear, seconded by Cllr G Bell to reiterate the Council's previous reasons for refusal:

RESOLVED: That the Council

(i) reiterates its previous reasons for refusal, as follows:

- Adverse influence on the Northern Devon UNESCO Biosphere Reserve the development will cause further damage to the landscape negatively impacting on this core area of the Biosphere Reserve, resulting in North Devon being at risk of no longer being able to defend its recognition as a world class environment by UNESCO. The Northern Devon UNESCO Biosphere Reserve is a key natural capital asset and has a value to the local community and its economy the loss of this world class environment would have a detrimental impact on the North Devon economy.
- Adverse impact on the Braunton Greater Horseshoe Bat (GHB) roost as the site is an important connector between the north and south of the estuary, the development would result in a threat to protected species adversely impacting on foraging and nesting habitat for bats.
- Adverse effect on the adjacent estuary which is a designated Site of Special Scientific Interest (SSSI) for its wildlife importance.
- Concerns being in close proximity to the RSPB's Isley Marsh Nature Reserve, also within the SSSI, the development during its construction phase and after construction will cause disturbance to overwintering birds and further decimate numbers visiting high tide roost areas in the vicinity.
- Policy ST01: Principles of Sustainable development – adverse effect on the intrinsic environmental value and character of the landscape as the proposal will harm local wildlife and result in the loss of important wildlife habitat significantly outweighing the economic and social benefits.
- Negative visual impact on the design, height and appearance of the proposed development it is not in keeping with the character of the estuary's landscape setting. Raising the site by two metres and erecting six-storey buildings on top is inappropriate for the area.
- Increase in artificial lighting will have an adverse effect on native wildlife, particularly the GHB and other species that have evolved to be active during the hours of darkness.
- Concerns increased risk of flooding the development does not take into account the latest data on sea level rise predictions being 2.5 metres. Yelland is already at risk of tidal flooding raising the land level and building the armoured wall sea defence will cause tidal displacement and put Braunton and other communities along the estuary at further risk of flooding. Policy BAR21: Flood Management Strategy – Flood management measures along the River Taw and its tributaries will re-establish functional flood plains in the Taw estuary and upstream of Barnstaple.
- Concerns regarding asbestos contamination throughout the site disturbance to the soil could result in asbestos fibres leaching into the estuary causing severe water

contamination.

- Unsuitable landscaping to offset biodiversity net gain the proposed planting of trees will not survive the site conditions and salty winds experienced in the area.

(ii) wishes to make representation at the Inquire.

(8.0.1abs)

106/2021/22	<u>North Devon Council Planning Decisions</u>	73849 Description: Notification for prior approval for larger home extension which extends 4.50m beyond the rear wall, 3.10m to the ridge and 2.90m to the eaves (amended application form). Site Address: 58 South Street, Braunton, Devon, EX33 2AN Applicant: Charlotte Beagley Decision: REFUSED Decision Date: 22/10/21 73962 Description: Erection of a single storey replacement conservatory. Site Address: 51 Moor Lea, Braunton, Devon, EX33 2PF Applicant: Mr Philip King Decision: APPROVED Decision Date: 28/10/21
106/2021/22	<u>Finance</u>	(a) RESOLVED: That the cheques on the schedule were approved and drawn in the total sum of £9,879.28. (b) RESOLVED: That the PAYE, NI and pension contributions for November 2021 be approved (NC)
107/2021/22	<u>Delegated Decisions</u>	RESOLVED: That decision taken under delegated powers since the 13 th October 2021, attached as Appendix A, be ratified and adopted. (NC)
108/2021/22	<u>Braunton Economic Plan</u>	The Clerk, prior to the meeting, circulated the notes from the working party held on the 5 November 21. Members considered appointing a consultant to provide expertise to deliver the Plan. It was noted that Devon Communities Together (DCT) charge £350 per day. RESOLVED: That the Council appoints DCT the Clerk to bring proposal and costings to the next meeting. (NC)
109/2021/22	<u>Community Emergency Plan (CEP)</u>	Members reviewed the CEP. Those councillors who are part of the Community Emergency Response Team (CERT) agreed to remain in their roles. A copy of the Plan can be found on the Council's website. RESOLVED: That no changes be made to the CEP. (NC)
110/2021/22	<u>Braunton</u>	Cllr Bryant had sent his apologies and requested if his

	<u>Beaver Project</u>	<p>presentation could be postponed until the next meeting.</p> <p>Members noted that DEFRA currently has an online consultation on the future of beavers in this country which closes on Wednesday 17th November.</p> <p>RESOLVED: That</p> <p>a. Cllr Bryant's presentation be deferred until the next meeting.</p> <p>b. Cllr Bryant be requested to respond to the DEFRA consultation on behalf of the Council.</p>
111/2021/22	<u>Annual Governance and Accountability Return (AGAR) 2020/21</u>	<p>RESOLVED: That it be noted that the Council's AGAR Year Ended 31 March 2021 has been signed and approved by the External Auditor PKF Littlejohns LLP. (NC)</p>
112/2021/22	<u>Financial Risk Assessment 2021/22</u>	<p>The Clerk, prior to the meeting, circulated the Council's Financial Risk Assessment 2021/22.</p> <p>RESOLVED: That the Council's Financial Risk Assessment 2021/22 be approved, attached as Appendix B. (NC)</p>
113/2021/22	<u>Review of Effectiveness of Internal Controls 2021/22</u>	<p>The Clerk, prior to the meeting, circulated the Council's Review of Effectiveness of Internal Controls.</p> <p>RESOLVED: That the Council's Review of Effectives of Internal Controls 2021/22 be approved, attached as Appendix C. (NC)</p>
114/2021/22	<u>Draft Budget 2022/23</u>	<p>The Council considered its draft budget proposal for 2022/23, tabled at the meeting. The draft budget for £417,375 required a 22% increase in the precept. Based on the 2020/21 Council Tax Base (3092.51) this would increase the Band D Equivalent by £12.51 per annum.</p> <p>RESOLVED: That the committees be requested to review their budget and a revised draft budget for 2022/23 be presented to the next Council meeting for approval. (NC)</p>
115/2021/22	<u>Release of Sewage into our waterways</u>	<p>Moved by Cllr E Wood, seconded by Cllr D Relph that the Council writes to the local MP deploring the release of sewage into our waterways, and calls on our MP to vote against this practice and on the Government to urgently enact legislation to stop it.</p> <p>RESOLVED: That the</p> <p>a. Council writes to the North Devon MP, Selaine Saxby, deploring the release of sewage into our waterways and requests that she always votes against this practice.</p>

- b. Council to issue a copy of the letter to town and parish councils in North Devon and the local media. (NC)

116/2021/22	<u>Devon County Council Consultation Future of North Devon Link Centres</u>	<p>Moved by Cllr E Wood, seconded by Cllr G Bell to call upon Devon County Council to re-open the North Devon Link Centres. The Council understand that the County Council needs to modernise and improve the existing service but it is essential to the mental health user base that mental health support be based around a physical hub located in the region's major population centres.</p> <p>RESOLVED: That the Council writes to the County Councillor requesting that she pass the Parish's comments to the relevant committee for consideration. (NC)</p>
117/2021/22	<u>Braunton Community Network</u>	<p>The Clerk, prior to the meeting, circulated a briefing note regarding standing down the BCN due to changes to covid support in Britain.</p> <p>RESOLVED: That the BCN be stood down and the Clerk be instructed to remove the stored data. (NC)</p>
118/2021/22	<u>South View Allotment Hedgerow</u>	<p>RESOLVED: That the Clerk and Chair of the Council be given delegated powers to approve the quotation from the local contractor to cut the South View Allotment hedgerow. (NC)</p>
119/2021/22	<u>North Devon Christmas Market</u>	<p>RESOLVED: That the Council agrees to allow Ginger Monkey Events to use its Brandon Tool Hire account to provide lighting at this year's Christmas Market, subject to the money being received by the Council in advance. (NC)</p>
120/2021/22	<u>Braunton Football Club</u>	<p>RESOLVED: That the Council agrees that the Braunton Football Club can use the Pavilion public conveniences for members of public attending their matches. This be for a trial term reviewed in the New Year. (NC)</p>
121/2021/22	<u>Parish Hall Bookings</u>	<p>RESOLVED: That the Council approves a request to consume alcohol on the premises for a birthday party booking on the 15 January 2022. (NC)</p>
122/2021/22	<u>Braunton Recreation Ground</u>	<p>RESOLVED: That the</p> <ol style="list-style-type: none"> a. Council agrees for the Rotary Clubs of Braunton to hire the Recreation Ground on Friday 3 June 2022 to hold the Braunton Village Fair. b. Council agrees for the Rotary Clubs of Braunton to hire the Recreation Ground on Sunday 5 June 2022 for a "picnic in the park" event will align with the national Big Jubilee Lunch. (NC)
123/2021/22	<u>Community Shared Space</u>	<p>RESOLVED: That the Council grants permission for the annual Village Christmas Carol Service to be held on the Village Green and surround area on Saturday 18 December at 5pm.</p>
124/2021/22	<u>Exclusion of Press and</u>	<p>It was resolved that under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 that the public</p>

Public

and press be excluded from the meeting for the following items as they involve the likely disclosure of confidential information.

(NC)

Part II

125/2021/22

**Hire of Signal
Office Braunton
Work Hub**

RESOLVED: That the hirer be evicted from the Signal Office for non attendance at the Hub for more than six months and due to arrears on their account.

(NC)

The meeting closed at 8.42pm.

Signed by the Chair:
(Cllr E Spear)

Date: