

**Minutes of the Virtual Fremington Parish Council Meeting Held on Monday
26th April 2021 at 7pm via Zoom**

Present: Cllrs S Kingdom (Chairman), S Adams, J Bell, F Biederman, J Cann, C Connell (from Minute No 2104/10), L Goodger, S Haywood, C McCormack-Hole, M Scott, T Steer and H Walker

Mrs V Woodhouse, Executive Officer
6 Planning Consultants for proposed Vistry development, north of St Andrew's Road.

10 Members of the public

2104/01

Apologies

Cllrs A Rennles and B Sherborne, Cllr Connell will be late and PC Robinson.

2104/02

Declarations of Interest

Cllr Biederman declared a Personal Interest in Item 2104/13 as a County Cllr and Item 2104/20 application 66229 as a County Cllr.

2104/03

Chairman's Announcements

The Chairman informed members that a High Court Case had been heard to permit virtual meetings under existing legislation and a decision was expected by 30th April 2021.

2104/04

Public Participation Period

A member of the public raised concerns about the proposal for a development of 175 houses north of St Andrew's Road, the main concerns raised were that it is outside of the development boundary and contrary to the Local Plan, there is not a sympathetic approach to existing residents and the access is not adequate.

2104/05

County and District Councillors' Reports

Cllr Biederman informed members that the Yelland Power Station and solar farm planning applications would be considered at NDC's Planning Committee Meeting on 28th April 2021.

Cllr Cann reported that the last NDC meeting was to set the budget and appoint representatives to outside bodies, Cllr Hunt was elected as Chairman. As Bickington ward members they were pleased to see that the Police had undertaken speed checks within the village and issued warnings and fines the statistics had shown that in the time they were there 14% had been speeding. Bickington ward Cllrs would continue to push the community speed watch which had been postponed due to COVID. Cllr Cann thanked Cllr Steer and his group for the work they had undertaken in Bickington and the communication with NDC Cllrs. Cllr Cann further reported that there had been several instances where developers had not completed agreed works and they were currently pursuing the completion of these works.

Cllr Cann suggested that the Parish Council consider supporting some promotional work about women's safety and explained that there had been recent issues with assisted waste collections which were being investigated.

2104/06

Police

The Police report was circulated and is appended as Appendix one. Members were concerned at some of the figures and discussed possible reasons for higher figures recently.

Cllr Scott requested that information on how individuals can seek advice is shared on the Parish Council's Facebook Page.

Cllr Cann was concerned that a speed camera was not proposed in Bickington and would like to push for a speed camera in Bickington. It was suggested that a mobile speed camera could be investigated. This would also provide data evidence to the Police.

2104/07

To approve and sign the minutes of Fremington Parish Council meeting held on Monday 8th March 2021

It was **resolved**, with no votes to the contrary, to approve and sign the minutes of the meeting held on Monday 8th March 2021 as a correct record.

2104/08

To receive, and to ratify the decisions therein, the minutes of the following Committee meetings

- Parks & Playing Fields Committee meeting held on Thursday 25th March 2021

It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein, the minutes of the Parks & Playing Fields Committee meeting held on Thursday 25th March 2021.

- Finance & Personnel Committee meeting held on Thursday 25th March 2021

It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein, the minutes of the Finance & Personnel Committee meeting held on Thursday 25th March 2021.

- Fremington Quay Management Committee meeting held on Thursday 25th March 2021

It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein, the minutes of the Fremington Quay Committee meeting held on Thursday 25th March 2021.

2104/9

Proposed Development – North of St Andrew's Road

The Planning Consultants for Vistry explained that they are looking to engage with the public as much as possible and provided an overview of the proposed development. The consultants explained that they would be looking to achieve 30% affordable housing

Cllr Connell entered the meeting.

Members were informed that they would only be looking to develop the first field and the field adjoining the Tarka Trail would be retained for agricultural use including drainage and possibly open space. Vehicular access would not be provided via Military Road but through St Andrew's Close and there would be a sympathetic approach to the existing residents.

The consultants finished by informing members that they are looking to engage with the Neighbourhood Plan Steering Group and have contacted the Executive Officer to arrange to meet with the group.

Cllr Kingdom asked if there would be a service charge on the development. It was noted that if there is a Management Company to maintain the public open space then there would be a service charge. Cllr Kingdom also asked if the developer was aware that there is a restriction on Military Road and the developer confirmed that there would not be vehicular access via Military Road.

Cllr Walker asked what mitigation would be put in place for the size of the proposed access road. The developer confirmed that there is sufficient width for a car and refuse lorry to pass. Cllr Walker also asked if the developer was planning any works to the junction to accommodate the extra traffic emerging from the junction. The developer confirmed that they had looked at pre-pandemic data which shows the access is still working well and it would only add around 90 cars which in peak times is an extra second to get out onto the main road. It was confirmed that DCC is happy with the access proposals and widths.

Cllr Biederman asked if the plans showed a tree in the middle of a footpath or road and right in front of someone's property. The developer confirmed that they were looking at ways to enhance the natural environment.

Cllr Goodger asked if the developer had been in contact with the providers of the medical facilities and explained that there is no NHS dentist in the parish, so everyone has to travel into Barnstaple. The developer confirmed that they had spoken to officers about capacity and would have to contribute through a Section 106 agreement to mitigate the impact.

2104/10

Climate and Ecological Emergency Bill

A recommendation had been received from the Parks and Playing Fields Committee to support the Climate and Ecological Emergency Bill (CEE). Cllr Biederman proposed, seconded by Cllr Kingdom that the Council does support the CEE Bill.

Cllr Bell proposed, seconded by Cllr Walker not to support the CEE Bill and to support the Government's Environmental Bill. Cllr Bell explained that the Government is putting through its own bill, however, some political groups claim it is not enough, the CEE Bill would cost billions to implement, and it was unlikely to be achievable, the smaller steps contained within the Environmental Bill would be achievable and more realistic.

Cllr Goodger spoke in support of the CEE Bill and explained that it is a people's bill with cross party support and support from businesses to push further.

Cllr Biederman explained that the Parish Council has declared a climate emergency and the Council's role is to put pressure on the Government to do as much as they can.

When put to the vote Cllr Bell's proposal was lost with 4 votes in favour, seven against and one abstention, it was therefore **resolved**, with four votes against and one abstention, for the Parish Council to support the Climate and Ecological Emergency Bill. Cllr Goodger voted in favour of supporting the Bill.

2104/11

Cllr Resignation

It was **resolved**, with no votes to the contrary to note Cllr Crawford's resignation, it was further **resolved**, with no votes to the contrary, to defer all of the appointments except for the appointment of one member to the Finance and Personnel Committee to the Annual Parish Council Meeting to be held on the 4th May 2021.

It was **resolved**, with no votes to the contrary, to appoint Cllr Haywood to the Finance and Personnel Committee.

2104/12

Working Party for Superfast Broadband

Members felt that this was an important project and should be fully investigated, broadband providers should be challenged on speed so many people have had to work/undertake education from home and have struggled with internet connections and speeds.

It was **resolved**, with no votes to the contrary, to appoint Cllrs Walker, Biederman, Scott and Kingdom to the Working Party to investigate superfast broadband and the Government's voucher scheme.

Cllr Biederman declared a Personal Interest in the following item as a County Cllr.

2104/13

Devon County Council (Traffic Regulation & On-Street Parking Places) Amendment Order

Devon County Council propose to make an amendment to the Care Workers permit scheme to allow a maximum of 3 hours parking on No Waiting and in Limited Waiting, Pay & Display and Residents Parking bays. It was **resolved**, with no votes to the contrary, to note the information.

2104/14

Preparing for the return of Face-to-Face Meetings

Members were informed that the emergency legislation could not be extended to permit the continuation of remote meetings which means from the 7th May 2021 Council meetings, including Committee meetings but excluding Working Party Meetings, will return to face-to-face.

The Parish Council's Annual Parish Council Meeting has been moved to 7pm on Tuesday 4th May 2021 which means this can continue as a remote meeting. As it stands at the moment the May Committee meetings will need to be face-to-face.

Face-to-face meetings are required to comply with COVID-Secure and social distancing regulations and be open to the public. The Beechfield Centre can accommodate 10 people socially distanced, therefore, Committee meetings, subject to public attendance, could be held in the Beechfield Centre, but Full Council meetings will have to be held elsewhere. It is only Cllrs that have to be physically present at the meetings and therefore members of the public and staff could attend remotely.

As the Chairman explained earlier a High Court Case has been heard to confirm that existing legislation permits remote meetings, however, a decision is not expected on this until the end of April at the earliest.

The Parish Council was informed that it needs to consider how it will protect and ensure the safety of Cllrs, members of the public and staff in attending meetings from the 7th May 2021, especially those that are vulnerable or shielding.

Some options available were presented for consideration. Cllrs felt that local government had been placed in an unfair position which is against all government advice and will mean a decision between upholding democracy or putting each other at risk. Members felt that remote meetings had been working well and had received more public attendance than physical meetings. It was noted that its not just how Cllrs feel about attending physical meetings but also members of staff, the public and people's home circumstances may mean they are putting themselves or family members at unnecessary risk.

It was **resolved**, with no votes to the contrary, to defer a decision until the next meeting in the hope that the High Court decision permits remote meetings to continue.

2104/15

Street Naming and Numbering

The Parish Council had been asked to consider a proposed name of Tarka Meadow for the development off of Oakland Park South. Members were not supportive of the proposed name and after discussion about options to represent the area of the development or pay tribute the late Duke of Edinburgh it was **resolved**, with no votes to the contrary, to propose Anchorwood View and Edinburgh Close as two options for consideration.

2104/16

To consider relinquishing the Parish Council's Right of Way leading to Griggs Field (item requested by a Cllr)

Members were informed that the Parish Council has a Right of Way leading to Griggs Field, which is reserved by a conveyance dated 25th March 1969 it states that

“Excepting and reserving unto the Vender and his successors in title a right of way at all times and for all purposes with or without vehicles over and along that portion of the property shown coloured brown and green on the said plan to the minimum width required for the construction of a roadway to obtain access to the land retained by the Vendor (now known as Griggs Field) together with a right for the Vendor to enter upon the said land coloured brown and green within eighty years from the date hereof for the purpose of making up a roadway and footpaths to the specification of the Local Authority”.

The Parish Council has considered previous requests to relinquish this right of way both of which have been refused as it is the Parish Council's only official access for agricultural use to Griggs Field, the Parish Council wishes to protect its right. Members were informed that a solicitor would need to be instructed to relinquish the Right of Way and there would be a cost implication, the advice was that should the Parish Council be inclined to pursue relinquishing its Right of Way legal advice should be sought first.

It was **resolved**, with no votes to the contrary, to defer the item and to seek costings for advice on the matter and the value of relinquishing the Right of Way.

2104/17

Neighbourhood Plan

a) To appoint Cllrs to the Steering Group

District Cllrs felt they should keep a step back as NDC has a Local Plan and it was resolved, with no votes to the contrary, to appoint Cllrs Bell and Haywood to the Steering Group.

b) to consider feedback from the Steering Group on the protection of the Estuary View along the B3233 and the implications on the proposal for a Yelland Hub

Members were informed that the Steering Group was investigating the possibility of a Yelland Community Hub on the opposite side of the road to Pottery Lane on the western field, however, this may conflict with the Parish Council's view that the Estuary View along the B3233 is protected. Members were supportive of the Yelland Community Hub and felt that this would be a sensible and central location it was noted that the Estuary View that requires protection runs between 48 Yelland Road and 50A Yelland Road and it was **resolved**, with no votes to the contrary to support the Yelland Community Hub and protect the Estuary View as a minimum between 48 Yelland Road and 50A Yelland Road.

2104/18

Public Payphone Removal Consultation

Information was circulated prior to the meeting it was noted that the telephone box in Bickington was proposed for removal, Cllrs felt that if it is a red traditional phone box it should be adopted by the Parish Council and uses such as a community library, food bank, defibrillator site should be investigated and it was **resolved**, with no votes to the contrary, to adopt the telephone box if it is a red traditional box and to undertake a community consultation on the future use.

2104/19

Local Cycling and Walking Infrastructure Plan (LCWIP) for Barnstaple, Bideford and Northam

Members were informed that Devon County Council is working with the North Devon Council and Torridge District Council to produce a local cycling and walking infrastructure plan (LCWIP) for Barnstaple, Bideford and Northam. It has been suggested that if both district councils and the relevant town/parish councils jointly draft a plan there will be a significant cost saving to producing separate plans.

The document is proposed to identify gaps in the walking/cycling network as well as opportunities for addressing identified barriers and safety concerns. It may also help to identify suitable locations for any further access points onto the Tarka Trail.

Planning Policy is inviting Fremington Parish Council to become a partner of the project and would appreciate a commitment as to whether the Parish Council is willing/able to participate. It would also be helpful for NDC to know who would lead from the parish council on this project, it is anticipated that this would be an officer representative rather than members as the project will not include opportunities for policy making and decisions. Decisions and actions will follow the report is finalised.

Members were supportive of the joined-up way of addressing the issues and it was **resolved**, with no votes to the contrary, to support the project and include within the remit of the Neighbourhood Plan Steering Group as they have already undertaken a lot of work through the Neighbourhood Plan process.

2104/20

North Devon Council – Planning Applications

North Devon Council, the determining Authority, has asked for comments from this Parish Council on the following planning applications:

It was formally noted that participation of the Councillors who are also members of NDC in both the debate and subsequent vote (in respect of any of the above, were preliminary taking account of the information matters) was on the basis that the views expressed made available at the time to the Parish Council. The District Councillors were reserving their final views on the applications until they were in full possession of all the relevant arguments for and against.

Cllr Biederman declared a Personal Interest in the following application as a County Cllr.

66229 Proposal: Outline application for Residential development & Extra Care Housing (up to 41 Residential Units (C3 use) & Up to 63 Sheltered/Extra Care Housing Flats (With Some Matters Reserved) (Amended Indicative layout plan, amended ground floor plan and site plan and first and second floor for extra care housing and additional information, amended description)

Location: Land off Bideford Road, Roundswell, Barnstaple

Applicant/Agent: Devon County Council

It was, **resolved**, with no votes to the contrary and one abstention to recommend, REFUSAL the traffic assessment figures are over seven years old and must have increased significantly due to recent developments, there is no additional infrastructure to support the development, it would have a negative impact on the community including a severe impact on the highway network and traffic issues already experienced. Devon County Council has given priority to economic gain rather than the health and wellbeing of residents, the school would be better placed in this location and the Parish Council maintains its view that Devon County Council should reconsider this site for the provision of a school.

Cllr Scott left the meeting.

72938 Proposal: Erection of walls on the existing car port
Location: 1 Lagoon View, West Yelland
Applicant/Agent: Mr A James

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to the proposal being in keeping with the street scene and no adverse impact on the street scene.

72950 Proposal: Change of use for land together with siting of two shepherd Huts & infrastructure
Location: Penhill House, Fremington, Barnstaple
Applicant/Agent: Cheryl Little

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to no adverse impact on the amenity of neighbouring properties.

73018 Proposal: Erection of porch
Location: 41 Heal Park Crescent, Fremington, Barnstaple
Applicant/Agent: Mr R Mortlock

Cllr Biederman proposed, seconded by Cllr Adams to recommended approval subject to no adverse impact on the amenity of neighbouring properties, sufficient off-street parking remaining and no adverse impact on the street scene.

Cllr Cann proposed, seconded by Cllr Walker to recommend refusal, the proposal will have an adverse impact on the street scene. When put to the vote Cllr Cann's proposal was carried with seven votes in favour and four against.

It was **resolved**, with four votes to the contrary, to recommend REFUSAL the proposal will have an adverse impact on the street scene.

73019 Proposal: Loft conversion & creation of dormer window together with alterations to garage / garden store
Location: 8 Lyddicleave, Bickington
Applicant/Agent: Mr P Sherborne

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to no adverse impact on the amenity of neighbouring properties.

Cllr Goodger left the meeting.

73029 Proposal: Notice of application to modify a planning obligation under regulation 3 of the T & C P (modification & discharge of planning obligations) Regulations 1992 in respect of S106 trigger point for occupation of completed units on site relating to off-site flood defences as proposed pertaining to planning consents 60406, 60711 and 14200
Location: Anchorwood, Old Sticklepath Hill, Sticklepath, Barnstaple
Applicant/Agent: Mr S Snooks

It was **resolved**, with no votes to the contrary, to recommend REFUSAL the flood defences are important and need to be delivered as per the original agreement.

Cllrs Scott and Goodger returned to the meeting.

73050 Proposal: Variation of condition 2 (parking restrictions) attached to planning permission 58475 to allow parking of 2 commercial vehicles
Location: Brown Mechanical Engineering, Lower Yelland Farm, Yelland
Applicant/Agent: Mr S Brown

It was **resolved**, with no votes to the contrary, to recommend REFUSAL the proposal is over intensification of the site and is likely to negatively impact on the amenity of neighbouring properties and the visual amenity of the Tarka Trail and the SSSI. The proposal will also increase vehicular movement of large vehicles in the area. If the North Devon Council is mindful to approve, then the proposal should be well screened.

73174 Proposal: Extensions to dwelling
Location: 18 Hele Lane, Roundswell, Barnstaple
Applicant/Agent: Mr & Mrs Brammall

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to no adverse impact on the amenity of neighbouring properties and an appropriate design.

73208 Proposal: Outline application for the erection of 4 dwellings some matters reserved (appearance, landscaping and scale)
Location: Former Clay Pits, Tews Lane, Bickington
Applicant/Agent: Mr & Mrs Fox

Cllr Walker informed the Council that she will be calling the application in to be dealt with by the Planning Committee on access grounds.

The Parish Council is commenting on this application as an adjoining landholder. The Parish Council is concerned about the impact on the drainage of the sports field which goes across the access road to the site and will be compromised.

The proposed access is on a blind bend and the height of the proposed access road will have a negative impact on the amenity of neighbouring property owners. The Parish Council also has concerns about the width of the access road.

Cllr Walker raised concerns about the width of footpath 17 and it was agreed to ask the Public Rights of Way Officer to investigate.

2104/21 **Councillors Questions**

It was agreed to defer until next week's meeting.

2104/22 It was **resolved** that under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 that the public and press be excluded from the meeting for the following items as they involve the likely disclosure of confidential information.

PART B

2104/23 **Community Building at Riverside Park**

Members considered a request from the Scouts to licence hire of the Community building until the leases are signed. Members were informed that the solicitor has advised against licencing use of the building to ensure any licence is not perceived as a lease or compromises the position of the draft lease. If the Parish Council is inclined to grant a licence it must be temporary in its nature and not give absolute possession of the property, to ensure it is temporary it should be for a short period and issued on an almost session by session or weekly basis. It was noted that there had been several delays outside of the Parish Council's control to providing and leasing this building for the Scouting Groups which had been without premises for some time and for this reason it was resolved, with no votes to the contrary, to agree to licence the use of the building to the Scouting Groups as a temporary measure on a week-by-week basis until the leases are signed.

There being no further business the meeting closed at 9.56pm.

Signed

Dated