

Minutes of the Council Meeting held 13/03/23, 19:30 at Witheridge Parish Hall

PRESENT:

Cllr Harvey	Chairman	Cllr Smith
Cllr Northam	Vice Chairman	
		Cllr J Yabsley
		Cllr Searles

In Attendance:

District & County Cllr J Yabsley	14 Members of the public
	P G Dunn - Clerk

Cllr Yabsley circulated email correspondence (to cllrs and public present) received by him dated 10th & 17th January 2023 and an email sent to the clerk dated 13th March 2023 timed at 15:39 all appended.

1. Public Session (maximum 3 mins per subject overall max. 15 minutes).

The Chairman welcomed all present.

Representations received in respect of agenda item 4:-

- Considerations should reflect strategically on the impact of population expansion associated with the granting of planning application 73742 and any additional further developments that are likely.
- Car parking availability improvements.
- Cycling route and bike racks to minimise car use accessing village amenities.
- Parish Hall enhancement to accommodate the projected population increase and demand for meeting space and impact on current running costs, consideration to:-
 - Upgraded building fabric & heating to minimise future running costs.
 - Changes to allow flexible configuration of the existing space to allow re-configuration between a space serving a large gathering or several simultaneous smaller groups.
- Upgrading of sub-standard pedestrian walkways, specifically the stretch turning left out of Willow Rise. It was stated that the planning consent for planning application 73742 conditions the upgrade of this path – see exert from NDC Planning Committee Officer Report appended[†]. Concerns were expressed as to the enforcement of planning conditions. It was highlighted the District Council Planning Authority was the body with the powers to enforce Planning Conditions.

2. To Approve Apologies for Absence.

RESOLVED: Apologies approved from Cllrs Martin and Wells.

3. To consider Code of Conduct Matters:-

3.1. Written councillor dispensation requests arising.

None.

3.2. Declarations of Interests not declared in the Register of Interests.

Agenda	Councillor	Type	Reason	Dispensation
	None			

4. Section 106 Open Space Contribution Projects.

The Chairman invited District Cllr Yabsley to update the meeting on the process.

Cllr Yabsley talked through the documents circulated at the start of the meeting which included a list of projects he had already submitted to the District Council stipulating any amendments would need to be submitted to the District Council 14/03/23.

Cllr Yabsley presented an expanded explanation of the process leading to the allocation of land in the Mid Devon Local Plan at Chapner for sports field provision, stating this land could not be built on unless an alternative allocation were substituted as part of the planning process. This land allocation was sought as part of Cllr Yabsley’s and the Parish Council’s strategic forward planning to make provision for the future.

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Cllr Searles expressed his disappointment given the Section 106 Discussion Document he produced and was presented to the parish council. [Initial draft sent to the clerk 24/06/22, responded 30/06/22 advising circulated with councillors meeting papers for the 07/07/22 parish council meeting agenda item 6.4]. Cllr Searles stated the document was intended to start a discussion in order to develop a strategy was never received a response or really discussed.

Issues raised included:-

- The B3137 approach to the village past Chapner which Highways deem safe contrary to local opinion and will likely be acerbated further by additional traffic associated with planning application 73742.
- The document raised acquiring additional playing field capacity and disputed this given the current playing field [adjacent to the School] should fit the purpose.
- Cemetery Extension with car parking.
- Village Hall adding to issues raised in the Public Session Cllr Searles stated tonight the hall was occupied by a group of six people and four dogs. [The council meeting underway in the committee room had twenty people squeezed in].
- Adventure Playground refurbishment.

Cllr Searles stated the Section 106 contributions should be spent in proportion to the scale of issues to be mitigated by the increased population imposed by the new developments.

The clerk through the Chair raised a query with Cllr Yabsley as to other land that would likely be brought forward for development. Cllr Yabsley advised land to the south of the village just inside Mid Devon and land north of Old Market Field through a call for sites as part of the NDC Planning Authority's process drafting the next iteration of the Local Plan.

The Chairman queried who makes the decision how the Section 106 funding will be allocated between the projects. Cllr Yabsley advised he was the decision maker as the District Ward member and the Parish Council was just a consultee.

Cllr Yabsley advised unallocated monies could be allocated to another parish, citing the new sports centre in Barnstaple as an example of a district wide project.

Cllr Searles requested sight of the draft Section 106 in respect of application 73742.

It was agreed to suspend Standing Orders to allow public present to address any queries arising from the deliberations, contributions included:-

- A tarmac Multi Use Games Area (MUGA) would be injurious to users. A MUGA would not be for the sole use of football.
- Clarification sought as to the use of the recreation field as a football pitch. The clerk read the Objects of the charity known as WITHERIDGE PLAYING FIELDS (1116536):-
"The object of the charity is, in the interests of social welfare, to improve the conditions of life for the inhabitants of the area of benefit without distinction of political, religious or other opinions by the provision and maintenance of a playing field and recreation ground".

Cllr Yabsley advised there was a Sports Field Management Committee (SFMC) responsible for the Charitable Objects and highlighted the part of the field immediately to the rear of the school [just under half the existing football pitch] belonged to Devon County Council (DCC) and licensed to the SFMC until such times DCC require the land for any expansion of the school.

- Highways accessibility to the land allocated at Chapner for playing field.
- Who should further suggestions be submitted. It was agreed to send to Cllr Yabsley given his deadline 14/03/23.
- Consolidation of play space. It was clarified 73742 has been approved with an additional small play area which would likely be the responsibility of another Management Company representing the new development residents.

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- What funding did the Parish Council have to run it's operation. The clerk stated the Parish Council had the power to raise a Precept on the Council Tax Billing Authority. The Precept for 2023 was £36000.

The following projects were finalised in no particular order for **Cllr Yabsley to notify to NDC:-**

- Construction of a MUGA.
- Acquisition of land for Sports Pitch(es) and/or other Public Open Space.
- Improvement or enhancement of facilities at the Witheridge Adventure Playground.
- Improvement or enhancement of facilities at Witheridge Parish Hall.
- Extension of the Cemetery.
- Provision of additional Car Parking.

The Chairman agreed to report in Witheridge Voice.

5. Dates of Next meetings recommended:-

- 5.1. Annual Parish Meeting – 06/04/23 19:00**
- 5.2. Parish Council – 06/04/23 19:30 – agenda deadline noon 24/03/23.**
- 5.3. Annual Council – 18/05/23 19:30.**
- 5.4. Agenda Items for consideration by the next meeting.**

None.

Meeting closed 20:50.

Appendicies**Emails circulated by Cllr Yabsley**

From: Councillor Jeremy Yabsley [mailto:Jeremy.Yabsley@northdevon.gov.uk]
Sent: 13 March 2023 15:40
To: ParishClerkWitheridge <parishclerk@witheridgepc.org>
Subject: Fwd: 73742 Witheridge 155 houses s106

Dear Pete,

To aide discussion at tonights PC mtg,

The headings that I mentioned at our last mtg which at present constitute the Schemes listed for the s106 agreement application 73742 (155 homes) are;

Construction of a MUGA or all Weather Pitch at Witheridge Playing Field.

Acquisition of land for Sports Pitch(es) an/or other Public Open Space use in Witheridge.

Improvement or enhancement of the Skate Park at Witheridge Adventure Playground.

Improvement or enhancement of facilities at Witheridge Tennis Club.

Improvement or enhancement of facilities at Witheridge Parish Hall.

Additionally I have had conversation with the Planning Manager about returning to the practise of annual updating by PC's of a rolling list of suitable projects which she agrees would be the preferred approach.

Richard Slaney also agrees but at present says that having just been promoted to a new roll whilst still having to cover what was Lucy's roll and having lost the admin person that dealt with Parish Council contact, time is a little short just now !

Unfortunately I have two other Parish mtgs this evening....will try to get to you first but it is Romansleighs Annual mtg so may have to go there first.

I have also attached the lists of Head-line Criteria and amounts for reference.

If Cllrs are going to add any projects we need to get an amended list to Richard Slaney Tomorrow.

Kind regards, Jeremy.

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From: Richard Slaney [REDACTED]
Sent: 17 January 2023 16:22
To: Jenni Meakins [REDACTED]
Cc: Carol Norman [REDACTED]
Subject: RE: 73742 - Witheridge - 155 houses

Hi Jenni,

I have attached the updated calculation from you have told me.

Offsetting 174m2 for on-site LAP, this would leave the developer needing to pay:
£15,883.20 for Allotment;
£54,424.48 for Play Space;
£330,370.56 for Built Recreation.
TOTAL: £400,678.24.

I would like to request the following trigger points:
10% on commencement;
10% thereafter for every 16 houses that become occupied.

Regards
Rich

From: Jenni Meakins [REDACTED]
Sent: 10 January 2023 16:28
To: Richard Slaney [REDACTED]
Cc: Carol Norman [REDACTED]
Subject: RE: 73742 - Witheridge - 155 houses

Hi Rich

There is a LAP (174m2) on site however I think the approach was for the LEAP to be taken as a contribution to be spent on the play area to the east of the phase one development (just by the entrance to Willow Rise). All other formal POS will be off-site. There is 37,280m2 of amenity and green space retained on site which will be managed by a management company.

I hope that assists.
Thanks
Jenni

Minutes of the Council Meeting held 13/03/23, 19:30 at Witheridge Parish Hall**Planning Committee Officer's Report Exert for 73742 (page 102) †:-**

25. Prior to occupation of the first dwelling, the off-site highway improvements listed below shall be carried out in accordance with a detailed scheme which shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority:
1. At the existing site access, which will be utilised by the development, the existing footpath on the B3137 (Fore Street) should be widened. There is a (approximately) 40 metre section that measures 800mm in width. This can be widened by hardening the grass verge between the footway and the carriageway. Page 102 Agenda Item 6
 2. There is a public footpath link between the existing site (at the north-east of the site) that runs adjacent to Butts Close and emerges onto the B3137 (Fore Street). This should be suitably surfaced to allow passage for all pedestrians. Currently, the surface is unsuitable for pushchairs, mobility scooters etc. This is an approx.60 metre length.
 3. A footway link should be provide between the existing site access to the junction to the south. This is approximately 40 metres Reason: To ensure the that sustainable links are provided to serve the occupants of the development in accordance with Policies St10 and DM05 of the North Devon and Torridge Local Plan.

Full report available here:- <https://www.middevonparish.co.uk/witheridge/willow-rise-development/>