

PUDDINGTON PARISH COUNCIL MEETING

Parish Clerk: Katie Vallance, Appletree House, Puddington, Tiverton, EX16 8LW

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Minutes of the Puddington Parish Council Meeting held in the Village Hall on Tuesday 9th January 2024.

In attendance: Chairman Cllr. R Price (RP), Cllr. K Keatley (KK), Cllr. S Brick (SB), Cllr. S Folland (SF), Cllr. R Keeble (RK), Cllr. Helen Tuffin (HT), Clerk, Mrs. K Vallance, 5 Members of Public.

1. Public Session: -

- 1.1. Complaints over very large tractors towing very large trailers in relays throughout the day and up to 02.00am with all working lights on disturbing residents. This tends to happen at this time of year, but this year has been for a more protracted period. Working lights are required to be extinguished on the highway.
- 1.2. Recent road closure in village centre to repair water main made without notice or diversions. Drivers of heavy vehicles have removed barriers and road closed signs and driven over the repair before the surface was reinstated, putting repair at risk.
- 1.3. Generally, more and larger heavy vehicles are using the road through the village and the roads are not suitable for such traffic and are not adequately maintained to withstand the impact of this development. Much improved maintenance is required urgently.
- 1.4. Contractor drivers hired by the local farmers having less consideration for road users such as dog walkers, walkers, and horse riders.
- 1.5. Mud being left in the road following the farmers leaving the fields, it is our understanding this should be cleared by the farmers when created.

ACTION – KV to contact neighbouring parishes to see if they are experiencing similar issues.

ACTION – RP/KV to write draft letter to local farmers expressing our concerns.

2. **Apologies:** - Cllr. Mark Jenkins (MJ), Cllr Margaret Squires (MS).
3. **Declarations of Interest not declared in the Register of Interest:** - Cllr. R Price, Cllr. S Brick declared an interest in item 6.1, the Shipping Container.
4. **Minutes:** - The minutes were approved, adopted, and signed off by all Councillors.
5. **Correspondence:** - RP reminded all about the Rual Survey that has been sent around via social media for residents to complete if they wish.
6. **Matters arising from previous minutes:** -
 - 6.1. **Shipping Container:** - Barrister is currently being chased for an update, we as a Parish have requested the amount of £s it has costed the council to date on this issue.
 - 6.2. **Grit Bin:** – The resident at Yowlestone is happy for us to use to put a grit bin on the edge of their driveway.
ACTION – KV to order a new grit bin and salt.
 - 6.3. **20 is Plenty Signage:** – Signs have been ordered and we are awaiting delivery.

6.4. Menchine Farm Plantation: - This matter is currently being investigated by Mid Devon Council. The matter is, however, somewhat complicated by the fact that the developer is relying on a previous agricultural notification (linked below at the bottom of the email) that the Council had confirmed to be permitted development before it was aware that there was a 'protected building' within 400m of the proposed building. For reference a 'protected building' is defined in the relevant legislation as:

"Protected building" means any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include—

- a) a building within the agricultural unit; or
- b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture.

Whilst the Council had advised the developer of this issue at the time it came to its attention shortly after the determination was made in 2019, it is their position that they consider they can rely on the agricultural notification to erect the building and do not intend to make a retrospective planning application. In this context and given the clearly differing views on the validity/applicability of the agricultural notification we are seeking a legal view. Notwithstanding this, the Council would still have to consider whether it would grant planning permission for the building and given that the agricultural justification was accepted previously it may be the case that the same conclusion would be reached on a planning application if one were to be submitted. In instances where we do not have a planning application to consider, we still must turn our mind to whether there would be expedient planning reasons to take enforcement action; the absence of permission where required would not be such an expedient reason. As such there is a possibility that the Council may conclude that it does not progress the investigation further depending upon circumstances, although I would stress that at this moment in time the matter is an active investigation.

The Council has, of course, made the developer fully aware of the potential implications to carrying out these works which, in our opinion, do require express planning permission, however, they have exercised their right to continue the works at their own risk for the reason I mention above.

19/00011/PNAG | Prior notification for the erection of an agricultural livestock building | Land at NGR 283190 112675 (Menchine Farm) Nomansland Devon (middevon.gov.uk)'

6.5. Damage Created by Large Agricultural Vehicles – Covered in agenda item 1.

7. Proposed 2024/ 2025 Budget/ Precept: -

7.1. Precept 2024/ 2025 - Approved.

ACTION – KV to submit.

8. Planning/ Consultations

8.1. The Parish Council has no objections for the Listed Building Consent - Replacement of 6 window frames, casements and glazing on southeast elevation.

9. To receive the following report: -

- 9.1. Parish – All footpaths are clear. No further reports.
- 9.2. District - Covered in agenda item 6.1 & 6.4.
- 9.3. County - No report.

10. Current Business: -

- 10.1. Financial Report: Receipts and Payments since last meeting - Receipts and payments made since last meeting, as detailed on the agenda were noted by the Councillors.
- 10.2. Payments for approval - Approval given by Council to all, with 1 additional invoice. £119 invoice for the playground maintenance and Council approved.
ACTION - KV to set up payments for approval.
- 10.3. Current Financial Situation - Noted

11. Confirm Date of Next Meeting: -

- 11.1. Meeting date agreed for 6th Mar - 7.30pm - Village Hall - Confirmed
- 11.2. Agenda Items for consideration by the next meeting – N/A

Meeting Closed – 9.16pm