

BRAUNTON PARISH COUNCIL



Minutes of the Braunton Parish Council meeting held on Tuesday 9 July 2024 at 7pm in the Parish Hall, Chaloners Road, Braunton.

	<u>Present</u>	Cllrs: M Shapland in the Chair, E Spear, D Spear, R Shapland, V Cann, E Blackmore, M Cann, R Byrom, L Childs, A Bryant, T Kirby and G Bell (part).
	<u>In attendance</u>	Officers: T Lovell, Parish Clerk & RFO County and District Cllr Pru Maskell 2 members of public
060/2024/25	<u>Apologies</u>	Cllr G Bell had sent his apologies and would be arriving late due to childcare.
061/2024/25	<u>Items not on the agenda, which in the opinion of the Chairman should be brought to the attention of the Council</u>	There were none.
062/2024/25	<u>Declarations of Interest</u>	Cllr R Byrom declared a Non Registrable Interest in Minute Ref: as he is a member of the Braunton Caen Rotary Club.
063/2024/25	<u>Public Participation</u>	A resident addressed the Council regarding a fingerpost sign for Cycle Route 27 that he had installed at his cost with donations from other residents. The County Council signage for this cycle route was inadequate and when people leave the Tarka Trail at Hordens bridge they have no idea how to rejoin the Trail. He also expressed concerns regarding a fallen tree that had been in the River Caen for several months behind the North Devon Homes flats. The flood in 2012 devastated homes along this stretch of river and many residents had to move out of their homes for many months whilst repairs were carried out. He was frustrated that the Environment Agency had still not taken any action to remove the tree obstructing the river flow when they were recently on site. He was also concerned that the culvert at Hordens bridge had once again become badly silted up. He had been in the river

and removed some silt to improve the flow of water through the culvert he cannot do any more.

The Clerk explained that the fallen tree had been reported to the EA on two occasions by the Council she would chase this up with the EA. The Chairman reminded members that the EA had agreed to come and talk to the Parish Council the Clerk would also chase this up.

The Chairman and Council thanked the resident for installing the Cycle Route 27 fingerpost sign, it was much appreciated.

064/2024/25

Request for Dispensation

None received.

065/2024/25

Minutes

a. RESOLVED: That the Minutes of the Council Meeting held on the 11 June 2024 be approved and signed as a correct record.

(NC)

b. RESOLVED: That the Minutes of the Property Committee held on 3 July 2024 be ratified and adopted by Council.

(NC)

066/2024/25

Action Sheet

RESOLVED: That the action sheet be noted.

(NC)

067/2024/25

Braunton Small Boat and Angling Association

The Chairman welcomed Jack Philips from the Braunton Small Boat and Angling Association to the meeting. Jack has been member of the SBAA for 8 years. The Braunton SBAA was established in 1989 to stop the estuary turning into a bass nursing area. Many of the original members have a less active role in the Association now. In the past members have helped organise skips to clean up the Velator Quay and organised trips to Lundy and Clovelly. They meet on the second Wednesday of each month at 8pm in the Mariners but usually only 6-8 members attend. They have a Facebook page with over 90 members joined. Since the breach of Horsey Island the tide now reaches the Velator Quay slightly later. The house boats on the river bank are friendly people but not part of the SBAA.

The new development currently being built has made Public Right of Way 3 inaccessible. The developers have now moved fencing to provide limited access but once the house are built the existing footpath will become part of the back gardens. The developers are proposing to relocate the PROW away from the riverbank on a concrete pavement. This would be a real shame as many local people use PROW 3 to fish off of the riverbank.

The Chairman explained that the Council would be

replacing the old North Devon Council litter bin at Velator Quay with a new bin with animal flaps. Jack confirmed that the bin was located in a good position which did not hinder the boat owners. He mentioned that the sign post on the slipway stating 'no parking' did sometime cause an obstruction depending on the size of trailers. He requested whether it would be possible to move this?

The County Cllr Pru Maskell explained that the PROW officers were having

067/2024/25

**Police
Representation**

There was no police report.

068/2024/25

**Report from
Devon County
Cllr**

The County Cllr was not present and had not provided a written report.

069/2024/25

**Report from
North Devon
District
Councillors**

North Devon Cllr Liz Spear's report was circulated prior to the meeting attached as – **appendix one.**

North Devon Cllr Simon Maddocks had sent his apologies, his report was circulated to members prior to the meeting. District Cllr Simon Maddocks had been contacted by some residents who live close to the Braunton Cricket Club regarding the alarm going off late at night and not being dealt with. He understands that there is a new alarm being installed. Residents also expressed concern regarding bottles being dealt with late at night causing a noise disturbance. People have also been sleeping in their cars in the Club's car park. These issues are creating regular nights of disturbance and nearby residents would welcome any suggestions or help with this. It was noted that noise disturbance would be dealt with by North Devon Council Environmental Health but hopefully the residents and Club can reach an amicable solution prior to escalating the issue to NDC.

North Devon Cllr Graham Bell explained that he had been dealing with a lot case work with the Lead Officer for Housing but this was currently on hold due to Purdah.

046/2024/25

Planning

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

(a) 78744

Proposed: Variation of condition 2 (Approved Plans)

attached to planning permission 76006 (Erection of 2 dwellings) to allow new plans and design to be approved

Location: Land to the rear of Steyning Lower Park Road Braunton Devon EX33 2LH

Applicant: Arcadian Property Holdings Ltd

Moved by Cllr V Cann, seconded by Cllr T Kirby to recommend approval.

Members considered the variation to lower the ground level of the dwellings to be an improvement and less imposing on neighbouring properties complying with Policy BE1 in the Braunton Neighbourhood Plan.

The retention of a mature tree on the existing site was also welcome and complies with Policy NE4 (iii) in the Neighbourhood Plan.

Members were concerned regarding the variation to increase the number of bedrooms from 3 to 4 as there is a greater need for 3 bedroom dwellings supported by the Braunton Housing Needs Assessment. 3 bedroom dwellings would also be more in keeping with Policy H2 in the Braunton Neighbourhood Plan.

RESOLVED: That overall, the Council felt that the variations were an improvement and recommended approval.

(11.1.0abs)

(b) 77480

APP/X1118/W/24/3341331

Proposed: Erection of single dwelling.

Location: Wedgehill Ash Road Braunton Devon EX33 2EF

Applicant: Mr Ray Hanson

Proposed by the Chairman and unanimously agreed to suspend Standing Orders to allow a member of the public to speak.

(NC)

A member of the public expressed his concerns that if this appeal is granted the development would overlook neighbouring properties bedroom windows and invade their privacy. As far as he was aware no officers from the Local Planning Authority had visited the site.

Moved by Cllr V Cann, seconded by Cllr R Byrom to reiterate the Council's previous reasons for refusal.

RESOLVED: That the Council objects on the grounds, as follows:

- There appears to be no measures to mitigate the proposed removal of a section of established mature hedgerow and bank to create a visibility splay. In accordance with policies NE3 and NE4 in the Braunton Neighbourhood Plan the developer should demonstrate a minimum 10% biodiversity net gain to compensate for the loss of existing habitat.
- The site is within the 4km bat sustenance zone removal of the established hedgerow and light pollution from the proposed development would be harmful to this protected species, and contrary to Policy NE2 in the Braunton Neighbourhood Plan.
- The proposed development accessing Boode Road would likely result in a significant conflict between cars and pedestrians by construction traffic and during the lifetime of the development and given the design and character of the Road would be detrimental to highway safety and amenity for existing residents.
- Concerns regarding the proposed development and positioning of balcony overlooking neighbouring property causing a loss of privacy.
- Roads nearby to the proposed site are prone to surface water flooding during heavy rainfall. Concerns that this proposed development and removal of mature established hedgerow will increase the risk of surfacing water flooding to neighbouring properties.

The Council wishes to emphasis its concerns regarding the disruption that the construction traffic will cause to the local amenity of the area as the existing road network, including the approach roads, are not suitable for HGV access. There are no pedestrian pavements and no nearby off road parking for tradespersons to use. There appears to have been no consideration by the applicant of Policy H9(iii) in the Braunton Neighbourhood Plan.

The development is not well related to scale, form and character of the settlement/built up area and its setting. The three story development which will be elevated due to it positioning on top of a hill will dwarf neighbouring properties and would not be in keeping with the character of the area. The appeal compares the density and scale to dwellings located in a housing estate which sits much lower than the proposed development site. The development is not compliant with policies BE1 and H9 in the Braunton Neighbourhood Plan.

The Braunton Neighbourhood Plan had attained the same legal status as the local plan when it was successfully approved at referendum on the 7

September 2023. Therefore, all relevant policies should have been fully considered by the applicant. There was no consideration given to Policy H1 in the Neighbourhood Plan for principal residency. Also, Policy H9 (iv) and (v) were not considered, together with guidance given in the Parish Design Code 6 (f) which states 'Infill plot development should respect the scale, massing and architectural details of the character area within which it sits'.

The Parish Council would kindly request that the Planning Inspector visits the site as some of the photographs provided by the applicant's consultant are misleading and do not relate to the road where the development will take place.

Members expressed their concern that if this development is approved it will set a precedent for further development in the area which would be detrimental to the local area and amenity of neighbouring residents.

(NC)

RESOLVED: That the Council reinstates Standing Orders.

(NC)

047/2024/25

**North Devon
Council
Planning
Decisions**

78441

Description: Demolition of store & erection of two st extension (amended plans)
Site Address: 22 Homer Crescent Braunton Devon E 1DT
Applicant: Mr Christian Charles
Decision: APPROVED
Decision Date: 21/05/2024

048/2024/25

**Xlinks Morocco-
UK Power
Project
Development
Consent Order**

Xlinks Morocco-UK Power Project Development Consent Order (the "Order") Statutory pre-application consultation: Thursday 16 May 2024 until 11.59pm on Thursday 27 June 2024 –

Section 42 Planning Act (as amended) (the "Act"): Duty to consult on a proposed application Notification under Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations"). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations").

Members expressed their concern that there appears to be no joined up strategic approach with Xlinks and White Cross. It is not appropriate to have two onshore cable routes planned within the same area covered by a Joint North Devon and Torridge Local Plan, the Council

RESOLVED to comment that if these off shore windfarms in the Celtic Sea go ahead Braunton Parish Council would request that the Xlinks and

White Cross work together to bring the onshore cabling for both projects onshore at Cornborough. It would be unreasonable to impact more communities then necessary due to the lack of a joined up approach.

- 049/2024/25 **Finance Matters** (NC)
(a) RESOLVED: That the supplier payments on the schedule from 15 May to 11 June 2024 were approved and drawn in the total sum of £88,585.90.
- (NC)
(b) RESOLVED: That the Council's May 2024 direct debits and standing orders for the sum of £11,168.48 be retrospectively approved.
- (c) RESOLVED: That the PAYE, NI and pension contributions for April 2024 were approved and drawn in the total sum of £18,389.96. (NC)
- 050/2024/25 **Representatives on Outside Bodies** a. Members approved the rota for representatives on outside bodies to report to Council attached as – **appendix two**.
- b. Members considered Cllr L Childs report as the Council's representative on the Police and Crime Commissioners (PCC) Councillors Advocates Scheme attached as – **appendix three**.
- Cllr R Shapland also the Council's representative on the PCC Councillors Advocate Scheme was unable to attend the latest meeting and thanked Cllr L Childs for providing a comprehensive report.
- 051/2024/25 **To ratify decision taken under delegated powers from the 15 May to 11 June 2024** RESOLVED: That the decisions taken under delegated powers from the 15 May to 11 June 2024 be ratified and adopted, attached as – **appendix four**. (NC)
(8.0.4abs)
- 052/2024/25 **Public Engagement regarding enhancements to bus-rail integration at Barnstaple Railway Station** Members noted the public engagement regarding proposals to improve bus-rail integration at Barnstaple Railway Station.
- 053/2024/25 **Braunton Bowling Club** Members considered the Braunton Bowling Club's request to install signage on the footpath warning pedestrians of vehicles accessing the Bowling Club's car park.

RESOLVED: That the Council to enter into discussions with the Bowling Club regarding the location of suitable signage this to be done as part of their Lease review.

(NC)

Cllr G Bell left the meeting.

054/2024/25

**Mowstead Play
Park
Replacement
Fence**

The Council considered the Clerk's report regarding cost to replace Parish owned fences. It was noted that the fence at Mowstead needs a lot of work. The front (top of Mowstead Park) fence has rotten/broken pales but serviceable posts and rails. The rear (bottom) fence has rotten/broken posts and rails but some useable pales which could be moved to the top fence and keep it going for a few more years.

The field access gate and posts need addressing soon, both hanging and hasping posts are rotten and snapped at ground level, one post has been strapped to the neighbour's wall. Access with machinery and children climbing the fence would be a high risk.

RESOLVED: That

- a. the Council replaces the Mowstead Play Park bottom fence, field gate and pedestrian access gate this year.
- b. the expenditure be £1,800 from Open Spaces Improvements and £1,000 from Improvements to Play Parks.
- c. any reusable pales from the bottom fence are kept to replace rotten pales on the top fence.
- d. the Council budgets in 2025/26 to replace the remaining fences.

(NC)

055/2024/25

**Councillor
Community
Drop-in
Surgeries**

The Chairman Cllr M Shapland thanked members who attended the drop-in councillor community surgery on the 1 June, and for circulated their reports prior to the meeting. Some issues raised at the surgery included footpath on the A361 being Hares fenced off due to the adjacent development, the White Cross Offshore Wind Farm and a request for more disability parking bays in the Chaloners Road Car Park. The Clerk would report all issues to the relevant authorities for action.

056/2024/25

**Parish Owned
Car Parks**

The Chairman Cllr M Shapland explained that there are regulations regarding the legal length of vehicles permitted to park in car parks. West Devon Borough Council are implementing measures to deal with oversized vehicles in their car parks. She proposed that the Council considers closing off its parking bays to prevent overhanging on the grass verges.

057/2024/25

Braunton Air

The Chairman Cllr M Shapland made the following

Quality Management Plan (AQMA)

statement. Members may have seen the press and other coverage concerning the Braunton AQMA. The Council has not received any notification about the Braunton AQMA being revoked nor has the Technical Working Group which the Clerk is a member of and hasn't meet for 18 months. The Council will therefore not be discussing this until such time as it receives official notification from North Devon Council.

058/2024/25

North Devon Christmas Market

RESOLVED: That this item be deferred until the organiser has provided a breakdown of the charities that benefitted from last year's Market. The Clerk to also calculate the hire fee for this year's Market.

(NC)

059/2024/25

Hire of Village Green

RESOLVED: That the Council grants permission for St. Brannocks Church to use the Village Green on the following dates to sell ducks for their annual duck race held on the August Bank Holiday Monday.

- Thurs August 1st
- Friday August 2nd
- Thursday August 8th
- Friday August 9th
- Thursday August 15th
- Friday August 16th
- Saturday August 17th
- Thursday August 22nd
- Friday August 23rd
- Saturday August 24th

(NC)

The meeting closed at 9.15pm.

Signed by the Chair:
(Cllr M Shapland)

Date: