

HAWKCHURCH PARISH COUNCIL

Clerk to the Council:
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Minutes of the Council Meeting held at the Hawkchurch Village Hall on Tuesday 21st June 2016

Present: Cllr's T Greenshields (Chairman), D Searle, J Baker, S Bartlett, S Matthews, N Over, C Lewis, P Searle and R Churchill

In Attendance: The Clerk (Mr J Vanderwolfe), Cllr A Moulding (Devon County Council), Cllr I Hall (East Devon District Council) and approximately 63 members of the public

176	Apologies No apologies received.
177	Declarations of Interest No Declarations of Interest under the Code of Conduct were made at the stage of the meeting.
178	Minutes The Minutes of the Council meeting held on the 17 th May 2016 were adopted as a true record
179	Matters Arising There were no matters arising.
180	County Report Cllr A Moulding explained his role as Chairman of Devon County council, and made the point that he is still able to fulfil his role as County Councillor for this area.
181	District Report Cllr I Hall stated that further talks had taken place regarding the installation of speed controls at Raymond's Hill. The caravan parked near to Hawkwell Park had been removed by the owners.
182	Police Report A police reported had been sent out in which it was stated that there had been no crimes since the last Council meeting. This was disputed by some members of the public present at the meeting.

183	<p>Democratic Period</p> <p>There were concerns about the recent letter received from EDDC in which it had been stated that the present owner of the Old Inn wished to convert the public house to bed and breakfast. The clerk and Cllr Over explained to the meeting the procedure in relation to the Community Asset order and what would be required. Mrs Wallace agreed to head up a steering group to make a case for the pub. There were concerns that the owner of the pub was asking for £800,000 even though he had purchased it for much less than that. A number of questions were asked about the procedure for acquiring the pub, which were answered by the clerk and Cllr Over.</p>
184	<p>Old Inn</p> <p>After debating the matter it was resolved that the clerk would write to EDDC informing them that the council wished to be considered as a potential purchaser of the Old Inn public house. It would then be up to the steering group to negotiate the purchase with the owner</p>
185	<p>Finance</p> <ul style="list-style-type: none"> A. The following accounts were agreed for payment: HMRC £90.00 (879), Garden & Countryside £1999.20 (880). B. The Internal Auditor had inspected the accounts and had found them in order. Resolved to accept this report. C. Insurance: The clerk stated that because of the way in which councils manage their assets the asset value shown on the annual accounts does not correlate with the insurance values. He stated that the council could review the amount value for the pavilion but he questioned if the bus shelter was demolished whether it would be rebuilt as there was only a school bus now and a Thursday only service to Axminster.
186	<p>Parish Lengthsman</p> <p>Agreed that the rate of payment to the lengthsman could be increased from £12.50 to £15.00 per hour.</p>
187	<p>Planning</p> <p>16/1376/Var Hawkwell Park</p> <p>Variation of condition 4 of planning permission 07/1853/COU to allow the provision of 5 additional residential pitches, each containing no more than one household, with no more than 2 caravans per pitch, of which no more than one shall be a static caravan.</p> <p>The present application seeks a variation of condition 4 of planning application 07/1853/CIU to allow the provision of five additional residential pitches each accommodating no more than one household, with no more than two caravans per pitch, of which no more than one shall be a static caravan.</p> <p>Condition 4 of the grant of conditional planning permission 07/1853/CIU dated 29/10/07 states that there shall be no more than six pitches on the site which shall be laid out in accordance with the approved site layout plan (drawing 0785/01) and on each of the six pitches hereby approved no more than two caravans shall be stationed at any one time. The reason being to clearly set out the number of pitches and caravans allowed on the site and the approved site layout.</p>

A previous application to vary conditions 4 of 13/0308/Var was refused and subsequently dismissed on appeal. The Inspector's reason for dismissing the appeal was that it was an unsustainable location, especially in relation to the proportion of the District's currently demonstrated needs, which he felt still appeared to be relevant and applicable. The above appeal was dated February 2014 and predates the present East Devon Local Plan 2013-31 which was adopted on the 28th January 2016. The latest Local Plan reinforces the Inspector's earlier comments that Hawkchurch is not included within the list shown at strategy 27 Development of Small Towns & Larger Villages, and is therefore not viewed as a location suitable for sustainable development as defined under strategy 3.

The Local Planning Authorities own research has shown that most of the need for gypsy and travellers sites is on the western side of the district, around the M5/A30. The Local Plan therefore makes provision for up to 30 gypsy and traveller pitches at Cranbrook, as against a plan period total of 37, of which 22 are required in the first 5 years. It therefore follows the applicants contention that the application satisfies Policy H7 is flawed and incorrect both in terms of need, requirement and location.

It should also be noted that prior to this application being received and enforcement case investigation (15/F0012) resulted in EDDC issuing a Breach of Condition Notice in respect of condition 4 of 07/1853/COU, and because of the owners failure to comply resulted in a successful prosecution at Exeter Magistrates Court with fines and costs being levied.

I determining the application EDDC are asked to give serious consideration to Condition 2 of planning permission 07/1853/COU which states the site hereby permitted shall not be occupied by any person other than gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006 because the site is in an open countryside location where residential use would not normally be permitted, but is justified by the special circumstances of occupiers and to ensure future occupation of the site is in accordance with these special circumstances.

This condition has never been varied, indeed an application to vary condition 2 (15/2015/VAR) to facilitate unrestricted occupancy of 6 permanent pitches, clearly indicating there is insufficient demand from Gypsies and Travellers for accommodation on this site, and in this area. The fact that the application was submitted supports this view. The application was refused in October 2015 on the grounds of it being an unsustainable location and that it would result in the loss of gypsy/traveller site provision.

It is generally well known that the site provides residential accommodation for persons not meeting the definition of travellers and gypsies. Further evidence of this statement is provided by the site signage boards which clearly state residential and touring mobile park open 12 months of the year. There are no noted restrictions indicating that the site is only for travellers and gypsies, therefore implying general residential accommodation.

	<p>It is therefore the conclusion and recommendation of my council that this application should be refused on the grounds that it fails to comply with Policy H7 Sites for Gypsies and Travellers as set out in the Local Plan.</p> <p>Delegated Applications 16/1195/Ful Tillworth Bungalow: Dormer windows: Support 16/1196/Ful Norton House: Single storey extension: Support</p> <p>Neighbourhood Plan A meeting had taken place at Bettiscombe on 16th June which had been found useful. There is a need to have more people on the steering group.</p>
<p>188</p>	<p>Highways The chairman would speak to Nick Allen at highways regarding the edge of the road in Wareham Road. The car park will need to be insured when taken over by the council.</p>
<p>189</p>	<p>Next meeting Tuesday 19th July 2016 at 8pm</p>