

PETROCKSTOWE PARISH COUNCIL

Minutes of the Planning Meeting held in the
Baxter Hall on Tuesday 20th February at 6.00pm

Present: Cllrs M Busby (Chair), I Fisher (ViceChair), A Hunkin, J Brasier, J Richards.
CCllr C Cottle-Hunkin and 7 members of the public

1. **Apologies of Absence.** Cllrs Goaman and Thompson are on holiday. Clerk F Lowe had a prior engagement.
2. **Declarations of Interest.** None declared
3. **Planning Appeal** Council is asked to discuss the below planning application/s and inform the Clerk of its comments to forward to the Planning Inspectorate.
Our Ref: 1/0075/2024/FUL
Date: 31st January 2024
Proposal: Construction of No.3 dwelling with local occupancy restriction.
Location: Land To The South Of Rectory Rise, Petrockstowe, Devon,

There was a lively discussion (including members of the public - Standing Orders were suspended so that the public could join the discussion). CCllr Cottle-Hunkin advised that she will “call in” this application to go before the TDC Planning Committee.

The Clerk was instructed to object to the application with the following comments:

Parish Council Objection to Planning Application 1/0074/2024/FUL

The Parish Council objects to this application. The original applications 1/0246/2020/OUT and 1/0950/2021/REM were for 3 houses. This second application will bring the number of houses on the site to 6 which is double the initial application.

Non compliance- Breach of Planning Controls

We would like to bring to your attention the following non-compliance/breaches of planning controls regarding the current works under planning reference 1/0246/2020/OUT and 1/0950/2021/REM as this latest application is in conjunction with the development of the site. These anomalies demonstrate that the applicant and builders have failed to comply with the conditions laid down by Torridge District Council - *breach of planning control is defined in Section 171A of the Town & Country Planning Act 1990 as the carrying out of development without the required planning permission or **failing to comply with any condition or limitation subject to which planning permission has been granted.***

1. The 3 properties called Sycamore Rise, Cedars and Woodlands (the latter of which has not as yet been built) have been identified on the proposal assigned to this planning application as **four-bedroom homes** and were approved as such under-planning reference 1/0950/2021/REM. However, the property known as Sycamore Rise was in fact built and sold as a **five-bedroom home in contravention of the approved planning permission**. The selling agent were Bond Oxborough Phillips and if required further details can be provided. Although Cedars, as yet, has not been placed on the open market it will be interesting to see if indeed this is a four-bedroom dwelling or again is in contravention of the original planning application.

Initial of Chair

2. Planning Approval Condition #3 1/0246/2020/OUT 1/0959/2021/REN – states *The landscaping hereby approved shall be implemented in accordance with the agreed details. All planting of hedgerows, shrubs and trees shall be carried out **prior to the occupation of any dwelling house.*** This condition has not been adhered to as to-date no landscaping/hedging has been completed but the occupants moved into Sycamore Rise in 2023.
3. Planning. Approval Condition #5 1/0246/2020/OUT 1/0959/2021/REN – states *The development shall take place in accordance with the agreed Landscape and Ecological Management plan.* At no time has care been taken to protect wildlife or the habitat during construction. Instead of removing the spoil from site it has been dumped at the far end of the field in three large mounds rising to 3.8m. Spoil has also been dumped against the hedgerows destroying rabbit warrens, the habitat for hazel dormice and wild flowers. The hedgerows use to be covered in snowdrops but alas no more.
4. Landscape map pertaining to 1/0246/2020/OUT 1/0959/2021/REN depicts Gabion Baskets to be used at the entrance. When the entrance road was established, soil was just pushed up to make the bank and then seeded. A footpath is shown on the original application, to run adjacent to the road, but has not been forthcoming. There is no provision for a footpath on this application either.

Further breaches of the original applications:

5. Rubbish/Recycling: The road is single track and private, meaning that all recycling and rubbish must be brought to the end of the road, by all the residents. There was an area due to be constructed in the bank beside 'Almara' but this has not been done. All these bags and boxes will therefore need to be dumped near the highway, potentially causing a serious hazard.
6. Highway Safety: The splays at the junction with Rectory Road were considered by highways to be just acceptable to make this junction safe for 3 dwellings, not for twice that number and in any case these splays have not been constructed.

Further concerns:

7. There is no provision for overtaking places, and small provision for the residents or any guests to park. There is no parking availability elsewhere in the village.
8. **Disruption & Loss of Privacy/Light:** 6 large family homes are bound to cause noise which will adversely affect the existing residents along Rectory Road. There are concerns about privacy, as it is likely that these properties will directly overlook current properties along Rectory Rise.
9. **Drainage and sewers:** There is concern over adequate drainage and what provisions there are for surface water run-off.
10. **Confirmation of Section 106 Local needs dwelling:** Will this condition be strictly adhered to? If after 4 months there is no interest from either the Parish or adjoining parishes, what guarantees are there that the cascade will not be extended? It begs the question what happens to the houses then.
11. **Development of houses:** This additional development of houses is not supported by evidence that there is a need within Petrockstowe (a number of houses are already for sale and have been for some months)
12. **Phase 2:** On the initial application, the question was asked if any further applications would be submitted and the bearing that this would have. We were informally advised that no further applications would be forthcoming.
13. Planning Statement inaccuracies:
 - a. The village does not have a "defined Development Area". It is classed as a Rural Settlement.
 - b. There is no daily bus service. There is one small bus once a week to Barnstaple with a quick turnaround.
 - c. The pub is unlikely to re-open in the near future as it has been on the market for some years with little or no interest.
 - d. There are no shops.
 - e. Our church, St. Petrocs is now closed due to it's being unsafe.
 - f. We would take issue with the statement that this site is at the end of the village. It is much nearer the centre being between the vicarage and the Chapel.

- 14. Wildlife: We would like to point out that the provision for wildlife promised on the homes already constructed, ie. bat and bird boxes and hedgehog provision does not appear to have been made. Nor has the promised landscaping. We therefore have little confidence that this will be any different on the new proposals.

It is wrong to put in a new application when there are enforcement matters outstanding on the original application.

What guarantees do we have that the same breaches of compliance are not repeated.

With no further business, the Chair thanked all for attending and closed the meeting at 6.45pm

Chairman Date

DRAFT

Initial of Chair