

KENTON PARISH COUNCIL

Minutes of a Meeting of the Parish Council held in Kenton Victory Hall on Wednesday 14 July 2021 at 7.00pm

Present

Cllr Thompson (Chairman), D Appleton, D Blount & H Bright

Also present

Suzanna Hughes (Clerk), District/County Cllr Connett and 54 members of the public.

The meeting was opened by the Chairman at 7.00pm.

210616.01 Apologies for Absence

None

210714.02 Open Forum

No items

The Chairman advised that Airband had asked to attend the meeting but it seemed that they were not present. In their absence, the Chairman informed those present that poles have been erected around the village including Butts Hill and Orchard Way and there is a proposal for one to be erected opposite Castle View and outside 3 Manor Gardens. Airband have a right to put the poles where they want on public land but not on private land and there is currently a dispute about the land outside 3 Manor Gardens and whether that is public land. Airband has used all the underground ducting that is available to them and cabling will also be used to connect the poles. Orchard Way has no underground ducting.

210714.03 Declarations of Interest & Requests for Dispensations

Members were reminded of their responsibility to continually update their Notice of Registerable Interests and invited to state whether they have any interest in the items to be discussed during this meeting in accordance with the Council's Code of Conduct.

There were no declarations of interest or requests for dispensation.

210714.04 Ratification of Minutes

Members received the minutes of the Parish Council meeting on 16 June 2021. It was agreed unanimously that those minutes are signed by the Chairman as a true and correct record of the meeting.

210714.05 Reports

5.1 Police Report

PC Orchard provided a crime report for the period 1 - 30 June 2021 for Starcross and Kenton: 14 crimes were reported and 33 incidents recorded.

Members also received a copy of a 38-page newsletter/gazette compiled by PC Orchard with useful information, guidance on reporting, signposting to partner agencies, monthly themes etc. This will be uploaded to the Parish Council's website and shared on Facebook.

It was noted that the police are seeking co-ordinators for their Farmwatch, Boatwatch and Horsewatch schemes.

PC Orchard is hoping to start up the PACT (Police and Community Together) meetings very soon. These will be 2 hour drop-in sessions giving members of the public the opportunity to speak to the police about any concerns. Dates will be advertised.

5.2 District/County Councillor's Report

Cllr Connett advised that he continues to report blocked drains to DCC as he sees them and is particularly aware of the drains around the school. These can be reported direct to DCC online via its Report a Problem page by any member of the public. The A379 running through the village and South Town is due to be resurfaced some time this financial year. With reference to Airband, he confirmed that utilities have the right to place their poles on any public land and DCC can only act if the pole is causing an obstruction or is put in incorrectly. He advised that he has asked TDC Planning to have a look at the signs which have been put up on the wall of Penhayes to confirm whether consent is required.

A question was asked whether Airband have the right to string their cables over private land. A member of the public confirmed that they do as long as the cable is a certain distance from the property.

A question was asked about the works outside Ragamuffins. Cllr Connett confirmed that this was part of DCC's planned drainage works.

5.3 Village Tidyman's Report

Peter White gave the following report:

- There is a pothole in the road outside entrance to the car park.
- The yellow hatched box outside needs repainting as very faded.
- The cherry tree in the bottom of cemetery has died and needs replacing. The Council agreed the cost of replacement (approximately £40) which Peter was happy to source and plant.
- The road sweeping of the village has not been done for a couple of months.

Cllr Connett advised that the refuse and recycling service is being affected by staff isolating. TDC has been redeploying staff and the focus has been emptying bins rather than road sweeping.

5.4 Delegate Reports

5.4.1 Dementia Friendly Village

Cllr Blount reported that the July meeting of the Reflections Café had to be cancelled due to government restrictions. They will hopefully meet in August.

5.4.2 Community Forum/Playing Field

No report.

5.4.3 Electric Charge Points in the Village Car Park

Cllr Appleton reported that this is an initiative which the Parish Council has been involved in with DCC to apply for national funding to install charging points. DCC has been granted funding for this. Kenton is the only Parish Council in Devon that was successful in receiving part of the grant. They will be installed next year. Will arrange a site meeting in the near future to help understand what will happen. The Chairman confirmed that the Parish Council will be looking at reconfiguring the car park to maximise the space available.

- 5.5 Action report – update on outstanding matters:
 - 5.5.1 Kenton Village Allotments lease
No further report. The clerk advised that she continues to chase the solicitors.
 - 5.5.2 Brook Path Wall
No further report.
 - 5.5.3 Footpath wall adjacent to Almshouses
No further report. The Parish Council is continuing to try and co-ordinate a meeting between the Parish Council, Powderham and the PCC.

210714.06 Finance and Governance

- 6.1 Members received the invoices for payment and it was agreed unanimously that the payments as listed are approved (attached).

210714.07 Planning

7.1 New applications/appeals:

- 7.1.1 21/01343/FUL – Oak Barn, Kenton
Erection of stable building comprising of 5 loose boxes, tack room and feed store, erection of store building and change of use of land for sand school

Members had no objections to this application.

7.2 Decisions

- 7.2.1 Appeal decision: The Dolphin, Fore St, Kenton
Members noted that the appeal against a failure to give notice within the prescribed period of a decision on the application for planning permission (20/00710/FUL) was dismissed and planning permission refused.

7.3 Draft Local Plan Consultation (Part 2) 2020-2040: Creating Quality Places – Site Option

The Chairman referred to a draft response by the Parish Council which had been circulated to those present at the meeting as a basis for discussion and comments were invited from residents present. A number of concerns were raised and observations made.

The Parish Council’s final response (completed after the meeting) was as follows:

Kenton’s Neighbourhood Development Plan was overwhelmingly accepted by parishioners in 2020, after a period of 5 years of consultation and consideration, and therefore retains direct relevance to the views, thoughts and considerations of the Kenton village community. This Plan identified substantial support for limited development for young families, older downsizers and affordable housing for those with local connections who are currently unable to buy. The policies set out in our Plan are intended to ensure that priority is given to meet local need rather than open market demand fuelled by external factors. At the time our Neighbourhood Plan was adopted, it was accepted by Teignbridge District Council to be fully consistent with strategic policies set out in the Teignbridge Local Plan in existence at that time. However, the proposals contained within this Teignbridge Local Plan Review of 2021 are potentially directly contrary to, and materially in excess of, any possible interpretation of the housing policies contained within the Kenton Neighbourhood Plan.

The approach set out in the Local Plan Review for the consideration of the distribution of new development claims to have considered a number of factors, which in relation to the selection of sites in Kenton, are not subsequently demonstrated, namely:

- *maximising the use of brownfield sites – all the sites identified in Kenton are greenfield sites, and 3 of them are currently productive arable land.*
- *a basic level of facilities, services and accessible road networks available – but this assumption is incorrect. The Village Shop, Post Office and The Dolphin public house have all recently closed, Kenton Primary School is currently at full capacity and future projections are that it is likely to remain so.*
- *Access roads to most of the proposed sites are single track roads with no pavements or parking, and in respect of which, private property would need to be included within any development in order to make access feasible and without due risk.*
- *It is clear that Kenton does not have the basic level of services to support any large development.*

Other factors which bear upon development in Kenton do not appear to have been specifically considered, including but not limited to:

- *current medical services are provided by a single practice covering Kenton, Exminster, and Starcross, all of which have proposed developments in this Local Plan Review, likely overwhelming existing medical services.*
- *the traffic flow potentially generated along the A379, which already has significant bottlenecks resulting in environmental damage. This factor also applies to the proposals for Dawlish and Starcross, which should be considered collectively for the purpose of traffic issues. Although the traffic lights at Kenton’s Southtown have mitigated the dangers to pedestrians, there are still significant traffic issues on the A379 at Starcross occurring daily throughout the year, for which Teignbridge District Council has taken no action over a protracted period of time, nor has Teignbridge any current live proposals for addressing those issues let alone any exacerbation of such issues caused by the proposed developments.*
- *all the proposed sites are within the Exe/Warren Zone of Recreational Influence and could negatively impact the Exe Estuary Special Protection Area and the Dawlish Warren Special Area of Conservation either visually or by recreational impact.*
- *all the proposed sites have hedgerow and grassland habitats and development could disturb the biodiversity of animal and bird species. There is a clear risk that development at any of these sites would fail Policy K Env 1, Policy K Env 5 and Policy K HW2 of the Kenton Neighbourhood Plan.*

Our detailed comments with regard to the specific sites are as follows:

1. Mamhead Road, Kenton

This is a greenfield site, currently productive arable land.

1.1 Access

Access can only be from Mamhead Road, which is a single-track lane with no pavements. Probably 80% of the traffic leaving the site will turn right, leading to a narrow lane between houses and stone walls, then by a blind corner into the part of Mamhead Road on which is situated Kenton Primary School, with parking outside. There is then a T junction into Church Street, similarly narrow with stone walls and parking until the junction with the A379. The increased traffic will increase emissions, noise and risks to pedestrian safety in the village. Any traffic turning left out of this site will pass along a narrow lane with blind corners and a blind summit until reaching the minor road leading either to Starcross or up the winding Jackdaw Hill to the A380. Considerable highway improvements would be required for any development at this site.

1.2 Impact on Environment

The site is very close to Warboro Plantation Unconfirmed Wildlife Site identified for broadleaved woodland and development could have a recreational impact on this ecology. A Devon Biodiversity Records Centre report of October 2015 indicates that this site is a Site of Wildlife Interest (OSWI). The site is also very close to Kenton Parish Cemetery, which is currently a tranquil place for villagers paying their respects. This would be disturbed by any development.

1.3 Visual Impact

The view from the allotments towards the village and church is noted in the Kenton Neighbourhood Plan as a locally important view, and any development on this site would change the character of the village by virtue of visibility. This site fails Policy K Env 3 of the Kenton Neighbourhood Plan.

2. Land at Southtown, Kenton

This is a large greenfield site, currently productive arable land.

2.1 Impact on Environment

The site is very close to the Exe Estuary Special Protection Area, and is also very close to Warboro Plantation Unconfirmed Wildlife Site identified for broadleaved woodland. The site contains priority habitats for species-rich hedges, grassland and other habitats and features that support protected species including bats and dormice.

2.2 Impact on Historic Character

There is a cluster of Grade II listed buildings just below the proposed site and development of this site would change the historic character of the area.

2.3 Visual Impact

The view from the public footpath off Witcombe Lane over the Exe estuary to the open sea is noted in the Kenton Neighbourhood Plan as a locally important view, and any development on this site would be to the detriment of the view as a whole and to the landmarks within that view. This site fails Policy K Env 3 of the Kenton Neighbourhood Plan.

2.4 Safeguarding Public Footpaths

There are 2 public footpaths noted in the Kenton Neighbourhood Plan which cross this site from Witcombe Lane to the A379 and Stile Farm, respectively. These are important in maintaining the connectivity of local footpaths, and Policy K T3 of Kenton Neighbourhood Plan requires that these are maintained and, where possible, improved.

3. Witcombe Lane, Kenton

This is a large greenfield site, currently productive arable land.

3.1 Access

Witcombe Lane, running alongside this site, is a single lane road with few passing places and a number of bottlenecks. It is entirely unsuitable for increased traffic. Traffic from the current housing on Witcombe Lane uses the steep and narrow Pitt Hill or Butts Hill, or joins Warborough Hill at a blind T junction to reach the A379. Considerable highway improvements would be necessary for this site, and many of the required improvements

would necessitate the purchase of private property.

3.2 Flooding

Whilst the Local Plan review states that there are no flooding issues affecting the site, this is incorrect. During heavy rain there is significant surface water runoff from this site at 3 points:

3.2.1 via Warborough Hill onto the A379;

3.2.2 via Sunnybank onto the A379 and into the centre of the village;

3.2.3 via Churchill Close onto the A379 and into the centre of the village.

Surface water run-off is significant and photographic evidence/video footage is held by residents to demonstrate that this is a serious existing issue, which directly impacts the flooding of properties in the centre of the village. The Kenton Neighbourhood Development Plan refers to the flooding as “regular winter” and flood records clearly demonstrate that the centre of the village is within a known flood zone. It is clear that the surface water drainage within the village is already woefully inadequate, and any development of the Witcombe Lane site will almost inevitably exacerbate the current situation. Any development of this site would therefore likely require significant intervention in terms of addressing and materially improving the existing surface water systems within the centre of the village and elsewhere.

3.3 Impact on Environment

The site is very close to Warboro Plantation Unconfirmed Wildlife Site identified for broadleaved woodland and development could have a material impact on this ecology. The site contains priority habitats for species-rich hedges, grassland and other habitats and features that protect species including bats and dormice.

4. East Town Farm, Kenton

This is a small greenfield site, currently uncultivated.

4.1 Access

The site is approached along East Town Lane, which is a narrow single track road without pavements but with parking at intervals. However, access off East Town Lane does not seem possible due to existing housing, so traffic would need to then turn into Slittercombe Lane, which is also very narrow with few passing places.

Conclusion

Kenton Parish Council welcomes the statement in the Local Plan Review that all development will be subject to Kenton Neighbourhood Plan, March 2020. We believe we have demonstrated that all the sites proposed have significant negatives for services, transport, road networks, historic environment, ecology and biodiversity, and damage to productive agricultural land. In addition, we have shown that the sites at Mamhead Road and at Southtown do not comply with Policy K Env 3. We have also shown there is a clear risk that development at any of these sites could fail Policy K Env 1, Policy K Env 5, Policy K HW2 and Policy K T3 of the Kenton Neighbourhood Plan.

We would also point out, firstly, that 2 development sites in the village centre currently with planning permission are yet to proceed and the current planning permissions indicate that a total of 12 dwellings would be created. Their completion could satisfy a significant part of the current local need for housing. Secondly, planning permission was recently refused for a development

which would have compromised the historic environment and special views within the village.

However, as stated above, Kenton Neighbourhood Plan recognised the need for affordable housing and houses for downsizing. We spent considerable time and public money in surveys and consultations to determine these requirements. We therefore accept that some land may be released at any one of the proposed sites to achieve a small scale development of up to 40 homes, provided that 25% of these are delivered as affordable homes and some provision is made for small homes for downsizers. As a condition of such development, measures to improve access and to mitigate the negative impacts at the respective sites would need to be implemented. As above, we believe we have demonstrated that any larger development would have serious negative consequences for Kenton.

We also believe there are other sites, for example to the north of the village, which have not been considered and might have lesser downsides in terms of access and impact on the environment than the proposed sites. In addition, there may be some small scale “in-fill” sites within the Kenton Settlement Boundary which could reduce the need for development at the proposed sites.

210714.08 Playing Field/Hard Court

8.1 Members received the safety check reports and approved a quote to replace a post in the toddler area for £43.39.

210714.09 Highways & Footpaths

It was reported that the laurel by the noticeboard was growing over the wall. It was agreed to ask Peter White to cut it back

210714.10 Members’ items for information or general discussion, for inclusion on future agendas and/or items requiring urgent attention

[Members were reminded that they have not received the statutory notice of this business to be transacted and should therefore recognise that any decision made may be taken to be unlawful if challenged in the future]

The clerk advised that she had received a quotation from Dartforest Trees to carry out a survey of the trees for £595 + VAT which members approved.

210714.11 Correspondence

None

210714.12 Date of Next Meeting

The next meeting of the Parish Council will be held on 8 September 2021 at 7.00pm in Victory Hall.

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Chairman

14 July 2021**Item 6:****Expenditure**

Cheque no	Payee	Details	Amount
Standing Order	Salaries	June	£724.40
Online	R Grave	Play equipment inspections (June) & replacement of the tops of the stepping stones	£30 + £46.56 = £76.56
Online	Ronnie Richards Memorial Charity	Postage for replacement cabinet door	£13.99
Online	HMRC	PAYE	£198.60
Online	Neil Bygrave	Car park/Brook path/Rodean bed maintenance	£335
Online	P White	Visor bracket	£11
Online	Kenton Victory Hall	Hall hire (June)	£24

Income (12 June – 10 July 2021)

Date received	Received from	Details	Amount
10 July 2021	Kenton in Bloom	VAT reclaim	£306.49

Bank Balance at 10 July 2021

Current account	£50,999.67
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