

# **DOLTON PARISH COUNCIL**

## **DRAFT MINUTES OF THE MEETING HELD ON MONDAY 22 OCTOBER 2018** **IN DOLTON VILLAGE HALL, at 7.30**

### **PUBLIC SESSION :**

Nobody wished to speak in the Public Session, but it was agreed that the whole meeting would be open for the public to contribute to the discussion.

### **PRESENT:**

Cllr Lock (Chair); Cllrs Dunn, Giles, Haynes, Martindale, Rendell, Rolls and Walker.

Clerk L Morris

Ward Cllr R Lock and 5 members of the public.

### **DECLARATIONS OF INTEREST:**

Members were invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting:

- Cllr S Martindale: personal interest arising from a shared boundary with the Acorn Farm Lodges

### **81 (18/19) APOLOGIES FOR ABSENCE:**

There had been no apologies for absence.

### **82 (18/19) Planning Matter: 1/1065/2018/CPL**

**Proposal: Certificate of proposed lawful use for use of land for the siting of static caravans for occupation for twelve months of the year for the purposes of human habitation.**

**Location: Acorn Farm Park, The Square, Dolton, Devon**

Ward Cllr Lock had been looking at the Proposal, and made the following points to assist the Parish Council with its discussion:

- This is not a planning application and will not be dealt with by the Planners. A legal decision will be made by the Legal Team based on the evidence, and the decision will be a straightforward 'yes' or 'no'.
- The term 'human habitation' is not a normally used term, but probably means 'residential'.
- The Legal Team has concerns about the evidence produced.
- The Local Plan will have been adopted by the time any Planning Application is submitted, and this site is not included in the Local Plan.
- There do not seem to be any current movements on the site, including any transport contract.

Thanks were expressed to Ward Cllr Lock for her work to help the Parish Council understand the current situation.

A discussion followed, the summary of which is noted below:

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- The site is outside the development line noted in the Local Plan, and the Local Authority is required to give weight to the Local Plan.
- It is thought that the elements of change are licencing, not planning, but planning would be needed before a Licence could be granted.
- The address and company name of the applicant has changed several times. There seems to be other examples where the applicant has appealed similar applications, which have been refused by other Authorities. Precedents have therefore been set should TDC Legal department wish to pursue this.
- The Proposal does not comply with the Town and Country Planning rules which are set to meet the community's needs. It does not do this and if approved it would affect traffic, access, noise, education.
- The growth requirement under the Local Plan was 10%. The Parish Council consulted and identified a site for 36 homes (Orchard Gate Phase 3) together with possible development at Fishleigh Park for 20 homes. Together with other smaller applications the growth requirement of 10% will be met in full. If the Proposal to have a residential licence at Acorn Farm is granted, there would be 88 additional properties which would equate to 25% growth.
- The lodges would not meet the needs of older people who would be in substandard accommodation in respect of insulation and heating. Social Services would be responsible for supporting the residents.

A response to be submitted to TDC was agreed as follows:

Dolton Parish Council disagrees with the Proposal 1/1065/2018/CPL and would wish to make the following comments:

- Dolton Parish Council expects the TDC legal team to use their full legal expertise to refuse this application. The Parish Council feel strongly that there is no evidence to support residential use on the site. The current site licence issued in August 2018 is clearly for holiday use only, and should remain so.
- We expect TDC to take fully on board the sentiments of our community regarding this site, which have been well documented previously. This community accepts the site as a caravan site, not for residential use.
- The site lies outside the Development Boundary (the "black line") which was fully consulted upon and agreed in the Local Plan, and the Local Authority is required to give full weight to the Local Plan.
- The application does not comply with the Town and Country Planning rules which are set to meet the community's needs. The change from holiday to residential status would be a huge change of great significance to the local community. To approve this application would be a travesty of the basic principles and objectives of Town and Country Planning. It would have a negative impact on traffic, access, noise, education and the wellbeing of the local community.
- The growth requirement under the Local Plan was 10% (approx. 34 dwellings) and this will already be significantly exceeded without this development. If this application were granted, there could be over 90 additional dwellings in our community (over 25% growth) which is neither wanted or needed.
- The lodges would not meet the needs of the older people in the village who would be in substandard accommodation in respect of insulation, heating and accessibility for older people.

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It was agreed that the response would be published immediately so that residents would be informed of the Parish Council's opinion should they wish to lodge a submission on the Planning Site.

**Signed** ..... **Date** .....

DRAFT