

## Minutes of the Committee Meeting of the Woodbury Salterton Residents Association

Meeting held at The Diggers Rest Woodbury Salterton on Tuesday 09 Sept at 7.30pm

Issued 10/09/2014

<b>Present</b>	Geoff Jung. David Rose. Priscilla Trenchard. Norman Gordon. Aran Brown. Ian Hunt. Keith Phillips. Stuart Honour. Diana Wackerbarth. Ben Jones.	
<b>1. Apologies</b>	Frank Mulholland	
<b>2. Previous minutes</b>	The minutes of the WSRA on the 08/08/2014 were agreed and signed as a correct record	
<b>3. Matters Arising</b>	All matters will be dealt with within the fabric of the meeting	
<b>4. Correspondence</b>	Any correspondence received will be dealt with within the fabric of the meeting	
<b>5. Bank Account</b>	<p>Stuart Honour reported that there is a total sum in the Association account of £8879.</p> <p>This is from membership fees paid and donations for the Sages Lea fighting fund.</p> <p>Donations for funds are still coming in but he expects the target will be reached.</p> <p>A number of payments into the account from residents have not been clear if they are membership fees or for the fighting fund.</p> <p>The payment of cash sums has proved to be a problem and Stuart asked that in future direct payments with the name of the payee in the reference column or cheques would be the preferred payment.</p> <p>It was agreed that the Treasurer and Secretary would go through the accounts/membership list and attribute the payments accordingly.</p> <p>It was also agreed that the fighting fund would then be moved into the savings account for clarity.</p> <p>He reported that Nat West will have the savings account up and running within the next 5 working days.</p> <p>It was agreed to pay the Planning Consultant Charlie Hopkins for his work on the first phase of the Sages Lea Development which came to £750.</p> <p>A suitable person has not been found to audit the bank account which is a requirement of the Association and the Treasurer will report back on any progress at the next meeting</p>	<p>GJ SH</p> <p>SH</p> <p>GJ</p> <p>SH</p>
<b>6. Membership list</b>	The Secretary reported on behalf of Frank Mulholland the membership secretary who was unable to attend	

	<p>that a number of extra residents have been added to the email list.</p> <p>These are residents who contacted the Secretary regarding the responses to the Sages Lea planning application, or donations to the fighting fund. It was agreed to leave these residents on the email list for the duration of the Sages Lea Campaign to keep them informed. It is then hoped these residents will contribute to association with a membership fee. There are now 161 listed residents on the email list with annual fees paid in, for approximately 130 members. This figure will be clarified once the accounts and the membership list are checked.</p>	FM/GJ
<p><b>7. Report on Village Scene Projects</b></p>	<p><u>Parkhayes Plantation.</u></p> <p>Diana Wackerbarth reported that a date had not been fixed for arranging a wild life expert to visit to ascertain what work is required to provide the best cover for a “wildlife area” It was agreed that she should arrange for a meeting either on a Wednesday morning or a Saturday and she will contact the committee regarding a suitable date probably sometime in October.</p> <p><u>Sages Lea Play Area.</u></p> <p>The Secretary reported that the Parish Council had received confirmation that the Local Authority have agreed to release the funds for the Play and Gym Equipment. There is now a lead time for when the equipment can be fitted and it was now expected that the work will commence after the school half term.</p> <p><u>Stony Lane Allotments.</u></p> <p>The Secretary reported that the Parish Council have confirmed that 12 plots have been taken up, and some residents have started on preparation work. There are more plots available, through the Parish Clerk.</p> <p>Diana Wackerbarth reported that the Nature blog was not updated in August but will be undated shortly.</p>	
<p><b>8. Sages Lea Phase 2</b></p>	<p>The secretary reported that Keith Philips and he have been in correspondence with the Planning Authority, Ray Bloxham (EDDC Councillor) and Greendale Investments over the last few months on issues regarding the missing landscaping, the removal of the temporary road, and the drainage ditch.</p> <p>The situation at this moment in time is.</p> <p>Although the condition attached to the planning application states that the planting is required to be carried out in the first planting season from commencement of construction (unless EDDC write to</p>	

	<p>confirm a change to this) the enforcement officer now states they can carry out this work at any time in the future. The secretary has asked for a copy of the letter to amend this legal agreement.</p> <p>The enforcement officer also states that the fence between the open field and the housing can also be built at any time in the future, and the “grass footpath” is to the standard EDDC expect.</p> <p>Regarding the Temporary Road the enforcement officer claims it does not consist of any hardcore and the track will be ploughed in once the crop is harvested. The secretary reported back to the Enforcement Officer the track has a plastic membrane with concrete chippings on top and therefore unsuitable to be just ploughed in.</p> <p>The date for the removal of the track attached to the planning application was 01/09/2014</p> <p>The Flood elevation scheme that has been left uncompleted and results in this field flooding can also be completed at any time in the future the Enforcement Officer reported.</p> <p>The secretary explained that he had written back to the Enforcement Officer acknowledging that in planning law that this was correct, but surely there is no justifiable reason for the developers not to complete the flood scheme for the benefit of their customers in the new Sages Lea, and the residents of the village. It was also noted that the flood prevention scheme is missing from the Planning application 14/1821/MOUT and housing has been proposed for this area instead.</p> <p>It was agreed by the committee that Keith Philips and the Secretary continue to try and conclude these matters regarding Phase 2.</p> <p>It was also agreed that the emails regarding these issues would be circulated to the committee.</p> <p>It was also agreed to inform the residents on the email list of the issues and the relevant contact details for residents who may wish to express their concerns.</p> <p><b>*Please Note</b>  <i>It has been confirmed 11/09/2014 by the Enforcement officer at EDDC that Greendale Investments will carry out <b>all</b> the outstanding works by March 2015</i></p> <p>Aran Brown reported that the damage to Stony Lane and entry to the drainage ditch caused by a large truck following his “Satnav” taking heavy equipment to Hogsbrook Farm has been repaired by workmen from Greendale (Owners of Hogsbrook). This was because DCC did not consider the damage serious enough to involve an insurance claim.</p>	<p>GJ KP</p> <p>GJ KP</p> <p>GJ</p> <p><i>Please Note  Addition to  the Sages  Lea Phase 2</i></p>
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	<p>The committee proposed that a letter of thanks should be sent to Greendale by the secretary</p>	GJ
<p><b>9. Sages Lea Phase 3</b></p>	<p>Planning application 14/1821/MOUT. The consultation period for Sages Phase 3 has now closed with 114 respondents mainly from the village opposing it. Highways, the Environment Agency, the EDDC Conservation Officer have also recommended refusal to the application.</p> <p>All the responses including the 2 large documents prepared by the Secretary, Keith Philips, and the Planning Consultant Charlie Hopkins can be viewed on the EDDC planning website</p> <p>Keith Philips reported that he had attended the Church Rooms at Woodbury to speak regarding this application prior to the Parish Council debating the scheme.</p> <p>The committee thanked Keith for his speech which reflected the concerns of all residents.</p> <p>Aran Brown also reported that a District Councillor at the meeting spoke of the need for housing requirements and the problem EDDC have in demonstrating that they have sufficient housing stock due to their lack of a Local Plan. The problem has now been made worse by a recent housing survey which defers from previous findings and government predictions so much that further work is required for it to be used as evidence for the emerging local plan. He then urged the Parish Council to implement the Neighbourhood plan as soon as practical which would give the parish some protection from developers.</p> <p>The Parish Council then debated the application and a letter was proposed and accepted to be sent to EDDC raising a number of points and recommending that the application should not be agreed. (The response is now available to view on the EDDC website)</p> <p>Later in Mondays Council meeting it was agreed by the Woodbury Parish Council that the Neighbourhood Plan Editor would be instructed to complete the first draft as soon as possible without waiting for the district plan to be agreed.</p> <p>The association committee welcomed this news and supported the initiative to press on with the Neighbourhood Plan. Although it will come too late for this application it may protect the area possibly next year.</p> <p>A discussion then took place on the next steps regarding the planning application.</p> <p>The pros and cons of lobbying the district councillors on</p>	

	<p>the Development Committee and our representative Ray Bloxham. It was agreed that encouraging residents to write to these councillors, could be counterproductive. Inundating councillors with letters could even</p> <p>discourage councillors from voting against the application.</p> <p>It was agreed that prior to any move, discussions should be carried out with the Planning Consultant to consider any work that needs to be carried out in the next month</p> <p>Keith Philips proposed that a letter of engagement should be sent to the Planning Consultant, to inform him of how we perceive the next few steps should be carried out. It will also inform the residents on the work the fighting fund will be used for.</p> <p>The letter of engagement which Keith Philips had circulated to the committee earlier was approved.</p> <p>It was agreed that it would appear as an attachment to the minutes.</p>	GJ
<b>10. Planning Applications</b>	<p>The Secretary reported that there were 4 applications 3 on the EDDC Website and 1 on the DCC planning Website.</p> <p>14/2023/LBC Trevanin Farm Conversion of Barns 14/2027/FUL Brook dale Ext and Dormer Windows 14/2132/FUL No 2 Parkhayes small 2 storey extension</p> <p>It was agreed that the committee did not wish to comment on any of these applications</p> <p>DCC 3670/2014 Wood Yew Waste wish to remove condition 3 from their latest application 14/0635/CM</p> <p>The Secretary reported that this condition refers to the prohibition of using chipping machines outside in the yard and only to be used in the enclosed building. This condition was imposed to protect the residents of the village from noise and dust generated from these chipping machines. A local resident confirmed to the secretary recently that over the last 3 years he has made 150 separate complaints to either EDDC Environmental Health and the Environment Agency. The planning documents produced by the owners admit, that they have been using a machine outdoors for the last 3 years and states that no complaint has been lodged.</p> <p>The Secretary also reported that the head of EDDC Environmental Health has confirmed she will recommend the condition to stay, and it is understood that the Environment Agency are considering taking proceedings against the owners.</p>	

	<p>The Committee agreed to oppose the removing of the condition.</p> <p>The Secretary then asked if there were any questions regarding the report submitted to the committee regarding the Greendale Liaison meeting.</p> <p>The Committee agreed to should be attached to the minutes of the meeting</p>	
<p><b>11. Any other Business</b></p>	<p><u>Natural Horse Bedding Products.</u> Nigel Edwards also brought the committee up to date regarding issues at the Unit at Greendale which was until recently occupied by UK Wood Products. From the 1<sup>st</sup> of Sept it was taken over by Natural Horse Bedding Products.</p> <p>Over the last week a number of residents have complained about noise issues which had been complained previously when used by the other occupants. Environmental Health Officers have now agreed with the owners that extra soundproofing will be implemented with the next 10 days. They have also agreed to monitor improvements continually to remedy the sound issue on a step by step basis. It was also pointed out that the new owners were not aware of any noise issues prior to taking the business over.</p> <p><u>Devon Waste Plan.</u> Nigel asked the committee if there were any concerns to the proposed revisions to the Devon Waste Plan.</p> <p>The Secretary reported that most of the additions had been discussed and agreed at a hearing at County Hall in July which he attended.</p> <p>The committee agreed that the amendments were agreeable but considered the height restriction on any Energy from Waste Plant at Greendale to be restricted to "No higher than any other building on site" and a better description stating the actual maximum height may be more satisfactory. A letter asking for this to be included to the revisions should be sent.</p> <p>The concessions already agreed include a maximum of 80,000 tonnes of waste for EfW for Greendale and Hill Barton combined and not 80,000 tonnes at each plant, plus the height restriction which will rule out an incinerator similar to Marsh Barton.</p> <p>The Waste Plan Inspectors recommendation is expected to be published in November, and a full report will be presented to the committee once it is published</p>	<p>GJ</p>

<b>12 Next meeting</b>	Next Meeting Tuesday 7 <sup>th</sup> Oct 7.30pm Diggers Rest	
<b>Signed</b>		
	<b>Attachments to the Minutes 09/09/2014</b>	

## **Planning Application 14/1821/MOUT: Consultant's Brief.**

### **Phase One Consultancy completed**

- ✓ On 29<sup>th</sup> August 2014, in response to a planning application for 60 homes and a shop on land adjacent to Sages Lea, the Association submitted an objection to the planning authority accordingly.
- ✓ This response was circulated to the committee on the 29<sup>th</sup> August by email.
- ✓ This *Phase One* consultancy response had been compiled by the secretary with the contracted expert assistance of Mr Charlie Hopkins MA (Oxon) PG Dip Law a planning and environmental consultant and others.
- ✓ The phase had been completed under a contract to provide expert advice and assistance in liaison with the secretary and others. It took the form of telephone conversations and submitted drafts, primarily by the secretary.
- ✓ Supplemented by the consultant's expertise, these drafts, together with one other submitted by a member of the Association's committee and observation of relevant submitted objections to the EDDC Planning portal, formed the substance of this phase of the work.
- ✓ It is considered that the Association's response, together with that of numerous objections by others, will prove significant in the planning authority's consideration of the application.
- ✓ The Parish Council met on the 8<sup>th</sup> September. As a result the Parish Council have registered an objection to the application with the EDDC.

### **The Timetable from 01/09/2014**

- 1.2 The next stage in this exercise will be consideration by EDDC Planning department in liaison with elected members.
- 1.3 During this period the applicant may re-submit a revised Flood Risk Assessment or may wait until EDDC meet to consider the application.
- 1.4 This may result in some form of recommendation to elected members.
- 1.5 It is believed but we cannot be sure that this may take until October.
- 1.6 Once an officer's recommendation is made public the Association will have only five days in which to respond.
- 1.7 In the intervening period it would therefore be prudent to prepare for a presentation and develop a defensive line prior to the EDDC planning Committee's deliberation.

### **Consultant's Brief: Phase Two.**

Building on the work already carried out and recognising the need for expert assistance we request and further instruct Charlie Hopkins Esq. as follows.

- 2.1 Advise the Association's committee on a handling/publicity strategy focussed on assisting the Association to pursue a positive outcome to its campaign.
- 2.2 In liaison with the secretary, prepare and submit a draft response to Planning Officer's consideration/recommendations when they become available.
- 2.3 Depending on time constraints, brief the Association's committee accordingly.
- 2.4 To attend, present and defend the Association's case to the EDDC Planning Authority.
- 2.5 To provide, in advance, an estimated cost of this Phase of the consultation prior to work commencing.

### **Possible Outcomes & Looking Ahead and Phase Three**

- a) If the application is rejected then it is anticipated that the applicant may appeal.
- b) If the application is approved then the Association has no right of appeal beyond seeking a judicial review in the High Court.

In either case the Association will need to consider retaining the consultant's expertise under a *Phase Three* of this contract.

- 3.1 In the case of the application being refused and the applicant appealing that decision the consultant will be requested, in liaison with the Association's Committee, to act as follows.
  - Study and analyse the applicant's Grounds for Appeal.
  - Prepare the Association's response.
  - Present the case to an Inquiry/Hearing.
  - Recommend the need for additional expertise if required.
  - Advise on handling/publicity strategy.
  - If required to present to the Village (WSRA) membership.
  - Provide, in advance, a cost estimate for this phase of the work.
- 3.2 In the case of the EDDC approving the application the Association, in discussion with the consultant, may consider whether seeking a judicial review is appropriate or affordable.
- 3.3 It is possible however that in such circumstances, as in a recent case involving EDDC, that a legal challenge may be considered due to possible inadequacies in the planning authorities approval process. In the circumstances of approval the consultant is therefore requested to consider and advise the Association accordingly.



## **Report from the Greendale Liaison Meeting 02/09/2014**

### **AD Unit at Hogsbrook Farm.**

The meeting started with a presentation from the contractors who are constructing the AD unit at Hogsbrook.

They explained the feed will be generated by the Greendale farm from the cattle waste and crops. The heat generated will be used to dry some of the waste material which will be used as a fertiliser and the electricity generated will be split in two one part connected to the National Grid and one part to the Industrial area. They confirmed that the visual impact to the existing power lines will not be altered, and the feed to the industrial area will be underground.

The unit is expected to be commissioned in December.

### **Other Matters**

Tim Smith from Greendale explained there had been a few changes to tenants and the planning applications for the changes to the site roads had all been approved.

There are outstanding planning issues at the Farm Shop and the issue of the Caravans at Hogsbrook are still being discussed with EDDC planning department.

The question of the cycle path was raised again. Tim Smith apologised that it had not progressed and could not confirm when it will be completed. The issue was raised of it being a key condition to the 2009 planning application and now 5 years down the road it is still not built. I pointed out that until it was built extending the cycle route through to Farrington and on to Cranbrook could not be considered by Devon CC.

During further discussions with Environment Agency, DCC and EDDC there were three issues that concern the residents of Woodbury Salterton

1. Wood Yew Waste. Concern of continuous breaching of conditions, and noise complaints
2. UK Wood Products. Business sold to “Natural Horse Bedding Products” with various planning issues outstanding and noise complaints.
3. The Area between Greendale industrial area and the Hogsbrook A D Unit including the fruit growing compound being used as a car compound.

### **1.Wood Yew Waste.**

It was reported that an inspection by DCC at Wood Yew Waste, on the 29/08/2014 a number of concerns where noted.

- a. A large area of the compound was being used for the storage of Waste Plasterboard. (The unit does not have permission to handle this product) It would seem that WYW has the contract from DCC to handle this waste, and up until recently they have been using another facility for this product. DCC are looking into the issues of this planning breach.

*NOTE. Plasterboard itself is not hazardous product, but care needs to be taken with handling due to skin irritation by site operatives and the dust can be an irritant to the eyes. There is a concern with Waste Plasterboard that if put into landfill it causes environmental impacts, and therefore it is excluded from other wastes and treated separately and not used in landfill.*

b. Chipping machinery is being used outside in the yard. DCC confirmed that they have now received the further paperwork to process the planning application for this change in operation. A planning application will shortly be placed on the DCC website. There are issues on dust and noise to be considered when this application is considered.

c. In a large area of the yard there was stored a mix of UPVC processed (Chipped) and unprocessed UPVC. Again this is a breach of the recently approved planning application conditions, where it had been stated that processed UPVC will be stored only within the compound building and transported away regularly.

This measure was included in the conditions to satisfy the HSE regulations for the storage of the UPVC, as there are severe health risks involved if the product catches fire. As the site has a history of fires associated with the storage of chipped wood, this is a major concern. It would seem therefore they are in breach of HSE regulations. As EDDC Environmental Health, and the Environment Agency were both in attendance at this meeting it will be interesting to see what the outcome is from this breach.

## **2. UK Wood Products Unit**

a. The history of this unit: it was set up to chip and dry fresh logs to create chipped wood bedding for animals. (Recycled wood is unsuitable because of possible contaminants such as lead paint) To overcome the amount of vapour from a chimney they recently fitted a new taller chimney. They also fitted a new machine for chipping which was larger than the previous unit and therefore the existing soundproofing was not suitable, and an extension to the building was required to facilitate the unit. Neither of these alterations has gone through the planning process. It also has been noted that the compound to the south has been extended without permission. It had been agreed between the management of UKWP and EDDC that these alterations could proceed to enable the production to continue so not to jeopardise the company or their employees. Retrospective Planning would follow once the improvements had been successfully implemented.

b. Unfortunately it seems that the company has had to sell the operation to a company called "Natural Horse Bedding Products" For a number of weeks the plant has been shut down, but it seems production has now started again under the management of the new owners. This explains why on Monday machinery noise similar to a "combine harvester" could be heard.

c. Following a complaint EDDC Environmental Health visited the site on 02/09/2014. The result of the visit is as yet unknown,

*NOTE. It was pointed out at the meeting that it is very important when complaining about a noise issue that the complainant needs to be certain where the sound is emanating from. I did point out that this would be difficult as the 2 plants generally responsible for producing the noise are next to each other.*

### **3.Area between Greendale and Hogsbrook Farm.**

- a. It was generally agreed that this area was an eyesore. I stated that it was the view of most residents that the whole area should be agricultural land to provide a clear natural brake between the Industrial area and Hogsbrook farm.
  - b. The issue regarding the compound that was meant to be a fruit growing area, but is a storage area for vehicles was discussed. The Environment Agency reported that the owners have been served with a notice to vacate the site by 26/10/2014.
  - c. There is now a question mark over the land once the vehicles have been removed as there maybe some contamination to the land. It would seem this will be sorted out once the vehicles are removed.
-