

CHIDEOCK PARISH COUNCIL

**Minutes of the Parish Council Meeting held at the Village Hall, Chideock on Tuesday
24 April 2018 at 7 pm.**

The Parish Council meeting commenced at **7.03 pm**.

Present: Cllr Roger Carey (Chair), Cllr Rob Murray, Cllr Vanessa Glenn and Cllr David Rogers.

In attendance: The Clerk, Dorset Cllr Daryl Turner and 1 member of the public.

2134 Apologies.

Cllr Peter Hunt, Cllr Laurie Elliot and Cllr Kate Geraghty sent their apologies which were accepted.

District Councillor Simon Christopher and PCSO Alex Bishop sent their apologies.

2135 Grants of Dispensations.

None.

2136 Declarations of Defined Pecuniary Interests.

None.

2137 Minutes.

a) **RESOLVED** to accept and sign, as a true record, the minutes of the Parish Council meeting of 27 March 2018.

Proposed by Cllr Rogers, seconded by Cllr Glenn, carried unanimously.

2138 County and District Councillors' and Police Reports.

a) Cllr Daryl Turner reported as follows:

DCC is working on Local Government Reorganisation.

It is highly unlikely that services will be devolved starting April 2019, except for public toilets and some Highways functions.

The Boundary Commission has started to look at the new arrangements, based on 86 members for the Rural Dorset Unitary Authority. The proposal being put forward to the Commission is for 1 member for Lyme and Charmouth and 1 for the rest of the Marshwood Vale.

WDDC Land Searches are now being conducted within 15 days i.e. are reaching the national target. There is a small backlog.

One of the Task Groups for the Rural Dorset Unitary Authority is looking at how common IT systems can be introduced across the current District and Borough areas.

b) Cllr Simon Christopher's report was taken as read.

c) PCSO Alex Bishop's report was taken as read.

Standing Orders were suspended for the following item.

2139 Democratic Period.

A member of the public said that the Parish Council website is good and is pleased that all documents for a parish council meeting are published.

A member of the public asked what progress is being made regarding a Dorset National Park and whether Chideock could opt out. The Clerk said that, to her knowledge, progress is being made slowly and that any significant news would be reported via the Parish Council website and the Chideock News. She said that, if formed, the National Park would cover a defined area with no possibility of opt-out, in the same way as the AONB.

Standing Orders were resumed.

- 2140 Updates to the Follow-Up List.**
No updates were requested at this point in the meeting.
- 2141 Reports / Updates by the Clerk and Councillors.**
Items 2 - 7 on the Actions & Information List were **NOTED** except for those detailed below, which were discussed in more detail.
Items 5/6/7 – WDDC Reserves. AGREED to request funding for: **CC**
- Chideock Village Hall refurbishment
 - Play Area Equipment
 - BW20 improvements at the junction with the A35 and across Clapps Mead Playing Field.
- 2142 A35 Matters.**
Items 8 - 37 on the Actions & Information List were **NOTED** except for those detailed below, which were discussed in more detail.
- Item 10 – “Chideock Slip”. AGREED** to add this to the Follow-Up List. **CC**
- Item 13 - Air Quality. AGREED** that the 2018 ASR Report (for 2017 data) be added to the Follow-Up List, for June 2018. **CC**
- Item 18 – CAZ / LEZ. AGREED** to add this to the Follow-Up List. **CC**
- Item 21 – DVSA Vehicle Checks. AGREED** to add this to the Follow-Up List. **CC**
- Item 27 – Quarterly HE Meeting.** The Clerk will draft and circulate an Agenda for the next meeting on 11 May 2018. **CC**
- Item 27A – Resurfacing. AGREED** to follow up on the suggestion that motorway standard utility covers be used; to again query the potential impact of water main replacement by Wessex Water after resurfacing and to tell Connect / Balfour Beatty that ALL residents need to be informed of the works, not just those living on the A35. **CC**
- Item 28 - 34 – Speed Watch. AGREED** to thank PSCO Alex Bishop for taking this forward and to place the item on the Follow-Up List. **CC**
- Item 35/36 – Weight Checks. AGREED** both items be placed on the Follow-Up List. **CC**
AGREED to follow up on mats (item 36) with Connect / Balfour Beatty.
- 2143 Motions Received with Notice.**
None.
- 2145 Planning Matters.**
a) Applications.
WD/D/18/000608 THE GUARD HOUSE STUDIO, SEATOWN Use as permanent residential dwelling (Certificate of Lawfulness (Existing)).
AGREED that Cllr Murray will draft a response for circulation to all. The Clerk will inform the Planning Officer accordingly. **RM/CC**
1. Chideock Parish Council notes the application for a "Lawful Development Certificate for an Existing use" of the above property, "in breach of a planning condition", and **OBJECTS** on the following grounds: -
 2. The Parish Council's long-standing policy is to automatically recommend refusal of retrospective application on the basis that they are grossly unfair to applicants who respect due process by properly making applications prior to the proposed use or development, so that the opportunity for full scrutiny on material planning considerations is afforded to both local people and the Parish Council.
 3. The current planning permission was granted on Appeal on 12 July 2007 (APP/F1230/A/07/2038270) for "continued use of the holiday chalet without restrictions at the Guard House Studio, Seatown", to be "used for holiday purposes only", following an application to WDDC (1/W/06/001118 dated 26 April 2006), refused by notice dated 16 August 2006.
 4. The Appeal Decision at para 4 recognised that the appellant "occupied it on a seasonal basis when the main house was let", and that "the site has been used by the appellant as a holiday home with planning condition permission restricting use to her and her immediate family since 1997". At para 9 the Inspector recognised that "the

appeal site has been in use by the appellant and her immediate family as a holiday home for 9 years with planning permission".

5. The Parish Council notes the long history of planning applications going back to 14 April 1997 (1/W/96/0669) for holiday use only, which the 2007 Appeal Decision confirmed. Throughout that time there have been several statements from the applicant / appellant which confirm a permanent residential address in Crewkerne, Somerset.

KG/
CC

6. Since the planning application on 27 May 1998 the applicant has consistently declared Crewkerne as her permanent address, repeated on 20 March 2000, and the planning application dated 26 April 2006 gives the address as "Merefield House, 17 East Street, Crewkerne".

7. This is consistent with the use of the property as a family holiday chalet up to the Appeal Decision of 12 July 2007.

CC

8. The Parish Council notes that on the current 2018 application, para 9 states that "The appellant has occupied the property sine 12 July 2007 as her sole and principal residence on an uninterrupted basis".

9. Thus it would appear that the applicant began a breach of planning conditions on the very day that the current (appeal) consent was granted. Such a flagrant violation of planning conditions would be quite unacceptable if it were true.

CC/
VG

10. The witness statement of Ingrid Hull on 14 November 2017 asserts that the property has been the applicant's "home" since 1996, in contradiction of the applicant's own declarations of a Somerset permanent address over the years, and at odds with the Inspector's statements in the Appeal Decision at paras 4 and 9. If this assertion is true, then the Inspector would have been able to consider a permanent use, not a holiday use as granted, assuming the use of the word "home" by the witness does not mean "holiday home".

11. The witness statement of H. E. Bickford on 15 December 2017 asserts in para 2 that "from the mid-1980s my mother has lived at the property, and holiday let The Guard House". If this assertion is true, then the applicant would appear to have been living either in "a small chalet with a bath, which had been erected in the 1960s", or "a touring caravan for sleeping purposes". The use of the "large shed" erected on the property in the mid-1980s is unclear. The assertions are at odds with the Inspector's Appeal Decision statements, and at odds within the witness statement itself in para 4 that "she negotiated a three-year planning consent for holiday use which was granted on 14 April 1997, and the construction of the chalet was finished on 8.6.98". From this it would appear that the use of the present chalet cannot be earlier than this date of completion of construction.

12. This witness statement goes on further to acknowledge in para 4 that "planning consent was renewed in 2000 and 2003 (for three-year periods) (for holiday use), and that permission for 'permanent' (holiday use) was "granted on Appeal on 17.7.2007". This is completely at odds with the same witness statement at para 2.

13. Similarly, the witness statement of G. E. Blandy on 15 December 2017 repeats the same assertions which acknowledge "planning consent for holiday use" while at the same time asserting that "my mother has lived at the property". Both this witness statement and that of H. E. Bickford appear, most disturbingly, to assert that the applicant was living in the property in flagrant violation of the planning consents for holiday use which both witnesses acknowledge were in force. The Parish Council regards this as a most serious matter.

14. The witness statement of William Longman on 3 October 2017 somewhat contradicts the above assertions insofar as "two years ago after having a stroke, she has spent the weekends cared for (here) in Crewkerne by her daughter". There is no statement as to the care in place on weekdays from any witness, or whether this is still ongoing.

15. The Parish Council takes the strongest exception to any apparent flouting of planning consents and conditions, and regrets that, in general, such contempt is not subject to the strongest sanctions as a deterrent.

16. The Parish Council has become aware that there is a SECOND holiday chalet on the site, advertised on AirBnB as such, and has reported this apparent further breach of planning consent to WDDC Enforcement Officer Mr Kevin Perry. This appears to be an intensification of use of the site contrary to the Local Plan protections for the AONB,

the Jurassic Coast, and development adjacent to the World Heritage Site.

17. The Parish Council notes that the 2007 Appeal Decision at para 5 required that "the site should be cleared of the existing chalet" since "the proposals would be defined as new self-catering holiday accommodation". The Parish Council, having reported the second chalet, would be minded to object to any retrospective planning application, and would expect enforcement action to be in the form of a requirement to remove the offending development.

18. The Parish Council notes that several owners of holiday properties in the Parish appear on the Register of Electors and further notes that Bickford, Elizabeth M V, appears on the Full Register of Electors for 2007-08, 2012-13, 2014-15, 2015-16 and 2017-18 but does not appear on registers prior to 2007-08 going back as far as 2004. The registrations from 2007-08 are consistent with commercial use under the Appeal Decision of 12 July 2007 at para 5 for "new self-catering holiday accommodation".

19. With the presence of the second holiday chalet on the site, advertised on AirBnB, there is clear evidence of an intensified commercial use of the site, which would of course involve visiting the chalets between occupancies and to open them up for customers, perhaps even local banking.

There are 4 "Self Catering Holiday Unit and Premises" within 150 metres of the property, all registered for Business Rates. The registration of the property for Council Tax Band A appears inconsistent with commercial self-catering accommodation.

20. Finally, Chideock Parish Council is prepared to state that over the past 20 years the applicant has not lived in the chalet as her sole and permanent residence, but has used it as a family holiday chalet, and subsequently as a commercial undertaking, in line with the planning consents.

21. The Parish Council notes, as a postscript, that there has been no site visit, and, given the development of a second chalet on the site, strongly recommends a site visit which councillors can attend.

WD/CA/18/00142 LINNET COTTAGE, MAIN STREET T1 & T2 Ash - Reduce by 50% - overgrown

Chideock Parish Council has no objection, subject to the Tree Officer's recommendation.

b) Determinations.

WD/D/18/000274 THE GRANARY, 2 MEWS COTTAGES Replace Windows and External Doors (Listed Building Consent) APPROVED

c) Appeals. None.

d) Any Other Planning Matters.

i. AONB / Lighting & Dark Skies, Dorset National Park, Conservation Areas.

Nothing to report.

ii. Enforcement and Retrospective Planning Applications.

Item 37A on the Actions & Information List was **NOTED**.

iii. Mill Lane Bridleway 18.

Items 38 & 39 on the Actions & Information List were **NOTED**. To be added to the Follow-Up List.

iv. Bullen's Lane / Bridleway 20 at Junction with A35.

The Clerk reported that Connect / Balfour Beatty did not give permission for work to move the wall back to create a refuge and visibility splay at the junction with the A35 to be done during the drainage works (traffic light controlled) in April. However, it may be possible to do this when resurfacing is carried out later in the year.

v. All Weather Footpath.

The Clerk is waiting for information from Cllr Geraghty before contacting Chideock Manor regarding the possibility of a route on the northern side of the A35. **AGREED** to add this to the Follow-Up List.

vi. Seatown.

Nothing to report.

vii. Seatown Regeneration Project.

Item 40 – Seatown Regeneration Project Interpretation Boards. AGREED that the Clerk obtains further information so that the financial impact of agreeing to the request to take on responsibility for the interpretation boards can be assessed. To be added to the Follow-up List.

viii. **Other.**

Item 41 on the Actions & Information List was **NOTED**

Neighbourhood Planning. The Clerk and Cllr Glenn have provisionally agreed to meet on 11 May 2018 following the HE Quarterly Meeting, so that Cllr Glenn can progress a report and recommendations regarding a Neighbourhood Plan for Chideock or a revision of the Parish Plan.

ix. **Community Infrastructure Levy CIL / S106 Agreement moneys from the development of a new dwelling in Ruins Lane.**

AGREED to formally **RESOLVE** to request the money at the May Parish Council meeting, for the following projects:

- Village Hall £1000.00
- Clapps Mead Play Area £1000.00
- BW20 / FP20 improvements £1457.44 (Main Street junction improvements, surfacing across Clapps Mead.)
- Total = £3457.44

2144 Finances.

Items 41A and 41B on the Actions & Information List were **NOTED**

a) **Payments.**

RESOLVED to make the following payments: -

- Clerk's Salary and Expenses for April £257.30
- Chideock Village Hall Hire – April £27.00
- WDDC for supply and installation of new parking ticket machine £1,200.00

Proposed by Cllr Murray seconded by Cllr Carey, carried unanimously.

b) **Year End Accounts.** Deferred to the May meeting as 3 councillors were unable to attend the April meeting.

c) **Audit Requirements.**

The Parish Council is exempt from External Audit whilst both Income and Expenditure are less than £25,000. It is necessary to formally inform the appointed auditors, PKF Littlejohn LLP, of this by Monday 11 June 2018.

Internal Audit is still required, as is the Statutory period for the exercise of public rights to inspect accounts, from Monday 2 July – Friday 13 July 2018.

The Annual Governance Statement and Accounting Statements must be completed and approved by resolution prior to the period for the exercise of public rights.

All the above information must be published electronically by 1 July 2018 under the requirements of the 2014 Transparency Code for Smaller Authorities.

Deferred to the May meeting as 3 councillors were unable to attend the April meeting.

d) **Foss Orchard Car Park.**

Item 42 – Removal of old parking ticket machine. Cllr Murray said that he will do this once the weather improves.

Clerk to follow up regarding training from WDDC Parking Services as to how to empty the new machine, change the time, etc.

A member of the public asked if B&B establishments could have a supply of short term parking permits for visitors who wish to leave their cars at Foss Orchard car park for several days. This was **AGREED** in principle. The Clerk will progress this and a formal resolution will be taken at the May Parish Council meeting.

AGREED that repainting of the white lines be added to the Follow-Up List.

AGREED that the Clerk asks the Environment Agency when they intend to remove the protruding bolts from the circular cover neat the Flow Meter., as agreed in July 2016.

CC

CC

CC

2145 Clapps Mead Playing Field.

Actions & Information List Items 43 and 44 – BW20 across Clapps Mead. **AGREED** to add this to the Follow-Up List.

CC

The Clerk reported that Mr David Greenshields has volunteered to help remove the tyre traverse item of play equipment. A member of the public said that she would ask other possible volunteers if they could help. The Clerk will co-ordinate this. The Clerk said that it

would be useful if it could be removed before the RoSPA inspection which usually takes place in May.

2146 Dorset Highways and Flood Management.

Actions & Information List Item 45 was NOTED.

Additional Item. Advice is being sought from DCC Flood Management regarding overgrown vegetation which is overhanging the River Winniford and posing a potential flood risk. When available this will put in the Chideock News and be sent to all property owners who have the river as part of their boundary. It was **NOTED** that the River Winniford is classified as a common watercourse and therefore does not come under the jurisdiction of the Environment Agency. However, in most cases the owner of a property by a watercourse also owns the channel, up to its centre. This should be reflected in the deeds for the property. Owners must a) let the water flow naturally and b) remove blockages, fallen trees or overhanging branches from the watercourse, or cut back trees and shrubs on the bank, if they could reduce the flow or cause flooding to another landowners' property.

2147 Current Consultations.

- a) **Ministry of Housing, Communities and Local Government consultation on Draft Revised National Planning Policy Framework** –delegated to Cllr Murray. **RM**
- b) **Devolution of WDDC Assets & Services** – the response was submitted prior to the due date.
- c) **Committee on Standards in Public Life - Open consultation on Local Government Ethical Standards.** Delegated to Cllr Geraghty as she served on the West Dorset Standards Committee for many years. **KG**
- d) **WSP - Community Severance and Safety Study** – 3 responses have been received from residents, which the Clerk will send to WSP. **AGREED** that the Parish Council should make a representation, Cllr Murray to draft. **CC RM**

e)

2148 Correspondence.

There were no other items of correspondence to be brought to Councillors' notice.

2149 To confirm the date and time of the next meeting of Chideock Parish Council.

The next scheduled meeting is at 7 pm on Tuesday 22 May 2018.

The meeting closed at **8.37 pm**.