

**Minutes for the meeting of Colyton Parish Council held on Monday 14th
October 2024 at 7.00 pm in the Colyton Town Hall.**

Present: Cllrs K Clifford, M Mann, A Stenning, G Chesterton, J Gardiner, G Stephenson, J Hay, P Arnott and R Turner.

Also in attendance: EDDC Cllr H Parr and S Haines (clerk)

Members of public: 6.

24/10/29 Receipt & Approval of apologies for absence. Cllrs Parr and Real.

24/10/30 Declaration of Interests. Cllr Turner declared an interest on planning application 24/1939/FUL 16 Hillside Colyton as he knows the applicants and neighbours. Cllr Hay declared an interest on planning application 24/1848/FUL 29 Grove Hill Colyton as he knows the applicants. Cllr Mann declared an interest on planning application 24/1914/FUL Brookfield House South Square Colyton as it is his neighbour.

24/10/31 Police Report. 0 crimes reported in Colyton for August.

24/10/32 Approval of the minutes of Parish Council Meeting held Monday 16th September 2024. Cllr Mann proposed these be approved, seconded by Cllr Stenning and agreed by all.

24/10/33 Matters arising from the Minutes. None.

24/10/34 Public Question time. A member of public stood and spoke against planning application 24/1939/FUL 16 Hillside, he stated that he is the freeholder of 15 Hillside, he has been a chartered building surveyor since 1996 and also has been a Parish Council representative of the Feoffees for the last 10 years. He objects to the planning application in its entirety. He feels the scale of the proposed extension is massively disproportionate to the rest of the buildings on the street, it is far bigger than it needs to be, also, a point raised within the Design and Access Statement states that impact of light to neighbouring properties will be minimal but this morning it took over an hour for the sun to reach the far Westerly point of his property. This will be exacerbated as we go into the winter months. The majority of the plans don't show consideration for the neighbouring properties. The proposed rear extension shows it to be freestanding from his property but discussions with previous owners mentioned conjoining the properties and there is some ambiguity there which needs to be confirmed. The proposed garden room is orientated directly in towards his garden rather than their own. He would like to see that orientated 90 degrees back towards their own property. Under the bat survey, information the bat specialist identified there were no drawings made available for them to complete the inspection. If the survey was conducted in August 2024 while all the drawings were dated February 2024. Not sure why those drawings were not made available to the bat specialist. In terms of the materials, there is an identification that the existing and proposed roof materials are comprised of pitched cement fibre tiles, they are profiled to terracotta clay which are difficult to obtain and, from a visual perspective, he would like to make sure that terracotta clay tiles are used if this application is to be approved. In terms of the application form and site visit section it does indicate that you can access and view the rear of the property. He is not sure if a site visit has been made but he would strongly advise that one is made to give you the proper view of what is being proposed here. In general terms of the design and access statement, the proposed development from a two bed to a four bed, he believes is totally out of scale. A precedent has been set previously in 2021 when a previous application was refused by EDDC and it was nowhere near the scale of this application. In terms of trees, he has a mature Acer growing on the retaining wall section of his garden which he feels would be significantly impacted by the excavation works proposed. In terms of noise, since the neighbours moved in 12 months ago there has been no real consideration or courtesy in terms of working times. He has experienced noise before 8am on weekends and past 9pm in the evenings. He does not believe they would adhere to any restrictions on working times so he would like that to be taken into consideration as well.

Cllr Arnott asked what principle objections would the member of public put forward to the planning officers at East Devon.

The MOP answered the precedent of extending beyond the 3m line of other extensions on the road. The additional development to 4.5m is beyond what should be acceptable. There are a couple of properties on the market and he think it could set a dangerous precedent to allow it to extend that far.

A MOP spoke in favour of the application stating that the objecting neighbours have large extensions on their properties, the gardens are South facing so do not believe they will lose any light. This house belongs to a young couple who have two very young children. They live and work in Colyton and want to stay in

Colyton. If this is refused then this couple are stuck with a two bedroom property. They have a daughter and a son so cannot share rooms. It doesn't seem fair. The objecting neighbours both have extensions and have what they need. Why would you want to refuse this? Both neighbours are single occupants and have large properties, this is currently a small property housing four people.

The applicant spoke stating that the reason for the extra 1.5m is for the size of the internal measurements. If they only extended by 3m then they would not have the standard internal measurements for a double bedroom that all new builds are built to now. 3m X 3.5m for a bedroom is considered standard in a new build and they would not achieve this by only extending 3m. That is not a large room, it is standard. He feels they have considered their neighbours by only going for an additional 1.5m, they could have asked for more, they have looked at the light either side and do not feel it is impacted as the house's position is South by South West. The property on one side is at least 2.5m away and actually sits slightly in front of their current property line so the extension will not sit 1.5m in front of hers, it will be just over a meter therefore light impact will be minimal. Looking at light impact at this time of year is always going to be slightly worse than in the summer. In regards to the building, he did try to talk to the adjoining neighbour but didn't get anywhere. Both neighbours were given a copy of the plans when they were first submitted in February in an attempt to be as open about it as possible. The adjoining neighbour came back with questions but they didn't have answers to them as they would be determined further down the line.

Cllr Arnott asked if any pre-application advice had been sought to which the applicant replied that advice had not been sought from EDDC but an architect had been in and talked about how to measure light and that advice has been taken. The exact plans will be done further down the line once permission is granted as is the way this process is always conducted. He knows the process as he has been a builder for the last 18 years and built many properties in and around Colyton.

A MOP who lives on the other side of 16 spoke against the planning application. She believes a two storey extension will affect her light. Also look at the similar application for number 8 which was refused on the grounds that it is contrary to the Local Plan. She is concerned that the owner of number 16 being a builder would plan on completing much of the works himself on weekends and evenings leading to noise disturbance. She believes if the application is granted it could set a dangerous precedent. To the best of her knowledge there are no other properties on the road which have exceeded the 3m line for extensions and trusts that these objections be carefully considered. She would be open to any dialogue throughout this process.

Cllr Arnott reassured the MOP that if planning permission is granted then there would be stipulations on working hours to prevent noise in the evenings and weekends.

Cllr Arnott proposed that we suspend rules and discuss this application now rather than make the members of public sit through the whole meeting, then they may leave if they wish. This was seconded by Cllr Mann and agreed by all. Cllr Stenning proposed that a site visit be conducted, seconded by Cllr Mann and agreed by all.

24/10/35 Report from County Councillor. No report received.

24/10/36 Report from District Councillors. Cllr Arnott sent his report – see appendix A.

Cllr Gardiner asked if Colyton toilets would get an upgrade. Cllr Arnott explained that they were category C toilets so would not get an upgrade, although they are extremely important, their usage cannot be compared to places like Exmouth.

Cllr Hay brought up about the lights in the car park which were reported to Cllr Arnott as not working last October. Cllr Arnott explained that the lights are run by Western Power, the fault is with them and it has been reported to them.

Cllr H Parr reported that there has been various meeting for the Local Plan which have been postponed and delayed, the total number of housing allocations agreed between the meetings falls quite a bit short of what we are required to find so during the next series of meetings we will be looking again at sites that were discounted in the first wave of meetings. We should expect that Coly 02B will be reconsidered. All that were recommended for approval in the first stage will be looked at again. Cllr H Parr stated that she is not very happy with the minutes from the meeting as they have not made it very clear that Coly 6 should not be reconsidered after the Parish Council and Devon County Council have marked that land for a potential new School.

Four years ago, the District Council commissioned a stock condition survey for all its housing. We have still not seen what it says but there is a presentation due next month so we should find out what condition the

4000 houses are in. It could be a very expensive project to bring those houses up to the required standards, the government has bought in new regulations.

Emails have been sent regarding the lights being out in the car park but no confirmation or acknowledgement has been received so nothing to report on that.

Cllr Arnott commented that he was extremely concerned about Coly 6, he feels we have done all we can but the fact is there is only the thought of a School, there is no funding and no plan so that may be a reason for them to rule this as available land. Cllr H Parr did not agree.

24/10/37 Highway Matters. Cllr Hay reported that highways were due to start works on Cownhayne Lane this week but it is under water.

24/10/38 Report from Meetings Attended. Cllr Hay attending a meeting of the Playing field Committee and all is well. It is good to hear that the works on the Trim Trail fencing should be conducted within the fortnight. Good improvement to the rain water harvester tank. The boundary from the Dare's land needs to be confirmed. Cllr Mann stated that plans may be available from when they built the Reece Strawbridge Centre. Cllr Arnott to contact agent.

Cllr Mann reported that he attended a Library Committee meeting. They have been given a £1000 grant so repair works can be completed.

24/10/39 Land at Stafford Common. Cllr Gardiner proposed this be put on the next agenda as Cllr Parr is not here to speak on this item. This was agreed by all.

24/10/40 Plan required for once the Parish Council take responsibility for the Dolphin Street Toilets. Cllr Mann proposed that this be placed on the next agenda and in the meantime Cllrs are to think if they would like to be part of a working party for this project, this was agreed by all. Cllr Chesterton to do some research on locking mechanism.

24/10/41 Environment Agency – River Coly works. The Environment agency did attend to clear the shingle beach by the Umborne Business Park but discovered the presence of Eels. Eels are a protected species and their habitat cannot be disturbed so they will not complete the works.

24/10/42 Parish Council website and domain name. It was agreed that the Council would like to design and run its own website and will need new email addresses. Clerk to contact three registrars to get quotes. The preferred domain name would be colytonparishcouncil.gov.uk.

24/10/43 Response from South West Water via the office of Richard Foord. The clerk circulated the response from the secretary for Richard Foord – see appendix B.

Cllr Hay was not happy with the response and stated that children in Coly Vale are splashed with sewage whilst waiting for a bus, almost every above ground joint leaks visibly, the system has not been upgraded for 100 years yet planning applications are still being approved for more houses.

Cllr Arnott responded stating that he agreed, it was not good enough, he is organising a large meeting to get SWW to take ownership, there are massive problems in Exmouth, Budleigh, Sidmouth as well as Colyton and he is fighting for all of them. SWW should be taken over by the government. He is also trying to get changes made for the planning process so applications cannot be approved without certainty that the sewage will be managed.

Cllr Gardiner stated that there is some positivity in the response and we need to keep on at them.

24/10/44 Correspondence

- a) The Rural Bulletin
- b) EDDC Covid update
- c) Rural Funding Digest
- d) Rural Services Network – October edition.

24/10/45 Finance

No committees meeting held in September.

Accounts to be approved for payment.

DD Talk talk phone and broadband 39.17 VAT 7.83. **Total 47.00 pounds.**

DD British Gas Lite workshop electricity 16.95 VAT 0.85. **Total 17.80 pounds.**

DD Biffa waste management 195.78 VAT 39.16. **Total 234.94 pounds.**

BACS Mr Fitzpatrick toilet caretaker. **Total 120.00 pounds.**

BACS Halcyon cemetery grounds 526.75 VAT 105.35. **Total 632.10 pounds.**

BACS EDDC rates council yard 449.00 pavilion 749.00 cemetery 618.00. **Total 1816.00 pounds.**

BACS Source for business cemetery water. Total 25.00 pounds.

BACS AM Web design website maintenance from 1st July – 30th September. 139 minutes. Total 34.80 pounds

The above accounts were approved for payment. Proposed by Cllr Mann, seconded by Cllr Stephenson and agreed by all.

* Rates were due on 1st October so clerk has already paid.

- a) Second quarterly audit due. Cllr Arnott to complete.
- b) Investment account. Cllr Arnott proposed we move to Lloyds, seconded by Cllr Mann and agreed by all.
- c) Request from Coly Link for a 250 pound donation. Cllr Mann proposed that no donation be given at this point and ask them to apply again next year, seconded by Cllr Gardiner and agreed by all.
- d) Clerks holiday request. Approved.
- e) Clerks contract hours. Clerk proposed to reduce the contract hours by three hours a week. Cllr Turner proposed to do a three month trial, seconded by Cllr Gardiner and agreed by all.

24/10/46 Planning

No Committee meeting held in September

a) Planning application from East Devon

24/1848/FUL 29 Grove Hill Colyton – Mr & Mrs Horne - Replacement flat roof, change of external materials, amended fenestration. *Comments due by 17th October.*

Cllr Mann proposed this be supported, seconded by Cllr Gardiner and agreed by all bar Cllr Hay who abstained due to declaring an interest.

24/1940/VAR Colcombe Castle Hotel Market Place – E J Dayment Construction Ltd - Variation of condition 2 (approved plans) of listed building consent 21/1616/LBC (Proposed internal and external alterations to building to include: internal layout changes (including removal of existing and replacement partition walls/staircases and relocation of skittle alley); removal of existing lean-to infill extensions, construction of balcony, installation of concealed flue, installation of glazed entrance way and new bin storage area on southeast elevation, and; removal of existing steps on northwest elevation and installation of ramp to provide disabled access) to allow alterations to internal layout of building and to the design of balcony previously approved and construction of bin store (partially retrospective) *Comments due by 25th October.*

Cllr Mann proposed this be supported, seconded by Cllr Stephenson and agree by all.

24/1806/VAR Colcombe Castle Hotel Market Place – E J Dayment Construction Ltd - Variation of condition 2 (approved plans) of permission 21/1615/FUL (Proposed demolition of existing lean-to infill extensions, construction of balcony, installation of concealed flue, installation of glazed entrance way and new bin storage area on southeast elevation, and; removal of existing steps on northwest elevation and installation of ramp to provide disabled access) to permit alteration to design of balcony previously approved and construction of bin store (partially retrospective). *Comments due by 25th October.*

Cllr Mann proposed this be supported, seconded by Cllr Stephenson and agree by all.

24/1914/FUL Brookfield House South Square Colyton – Mrs Klaentschi - Raise and re-form the garage roof to facilitate solar panels on the south elevation. Extend the garage to the west to the garden wall on the ground floor. Enlarge the existing balcony and replace the guarding and stairs. Install a flat roof over the walled area to the south west of the garage allowing a garden tool store to be formed. *Comments due by 26th October.*

Cllr Stenning proposed this be supported, seconded by Cllr Chesterton and agreed by all bar Cllr Mann who abstained due to declaring an interest.

24/1939/FUL 16 Hillside Colyton – Mr & Mrs Hancock - Proposed Two Storey rear extension and shed/garden room. *Comments due by 20th October.*
Site visit required.

24/2055/TCA Bear Inn King Street – Mr Wyer - T1, T2 and T3, Eucalyptus: fell and remove.
Comments due by 4th November.
Cllr Stenning proposed this be supported, seconded by Cllr Chesterton and agreed by all.

b) Planning decisions from East Devon

24/1623/TCA 1 St Andrews Close Colyton - Conifer: remove the overhanging stem of approximately 10-15 lateral limbs, which is severely encroaching the customers property, leaving an appropriate pruning cut in the main stem of the conifer tree. Approved – standard time limit.

c) Planning correspondence.

2 X memorial application circulated to all Councillors.

1 X application for additional inscription to head stone circulated to all Councillors.

All memorial applications approved, proposed by Cllr Turner, seconded by Cllr Stephenson and agreed by all.

24/10/47 Amenities

No committee meeting held in September

a) Future management of the Community Woodland. Cllr Arnott to email EDDC to see if they can help.

b) Update on the issues in the cemetery. The clerk reported that the memorial set up for Mr Board was a temporary one and an official application will be put in for the permanent one once it is complete. The plot which has the shrub growing on it, the clerk has no contact for the family and can only assume the shrub has self-seeded and is growing on its own. Handy man to remove.

24/10/48 Items brought to the CPC's attention after the agenda had been published to be noted.

A request was put in a month ago to have a memorial bench put at the picnic site. Cllr Turner has asked the applicant if they would consider putting the bench in the playing fields where a new one is required. The applicant has refused this and would very much like a bench and concrete plinth at the picnic site. Cllr Mann to look for a suitable location.

24/10/49 Matters to be taken into Committee. None.

24/10/50 Dates of future meetings

Committee meetings – Monday 28th October

Full Council meeting – Monday 11th November.

Meeting closed: 21:00.

Appendix A

District Report October 2024

Cllr Paul Arnott

Public Toilets

Colyton Parish Council has been widely praised by officers and councillors at East Devon for its willingness, along with other parish and town councils (eg Budleigh Salterton) to take ownership of Category B or C toilet locations. It may be worth considering that this sits in the context of a major toilet review - after 40 years of low to zero infrastructure investment which East Devon has been obliged to undertake. Local residents in the Coly Valley will benefit when out of ward by major

investments in Category A sites to replace four toilet blocks in Exmouth, Budleigh Salterton, Seaton and Honiton. Work begins shortly. They will provide modern fit-for-purpose facilities, improved accessibility and generally a more pleasant user experience.

The refurbishment programme is being funded by East Devon District Council's capital investment fund, along with additional funding from the former Department for Levelling Up, Housing & Communities for adult changing facilities.

Construction is expected to last two to three months at each site. Temporary toilet facilities will be provided at Exmouth, Budleigh Salterton, and Seaton throughout the works, but no temporary facilities will be available at Lace Walk, Honiton, due to levels of usage and access to other public toilets in locality.

All investment works are scheduled for completion by early 2025, with the Exmouth site expected to be finished in December and the Honiton site by February. This project follows the 2021 Public Toilet Review consultation, which received nearly 1,300 responses from residents and visitors. The consultation was launched to address the challenges posed by outdated and difficult-to-maintain facilities, rising operational costs, and the need for improved hygiene standards highlighted during the Covid-19 pandemic.

As a result of the review, each public toilet site in East Devon was placed into one of three categories:

- Category A: Key sites that will be fully refurbished to support the community and visitor economy.
- Category B: Less used sites, where alternative uses, such as café leases or transfers to local councils, are being considered.
- Category C: Sites the council can no longer afford to operate but are open for community management proposals.

The upgrade of Category A sites will ensure the community has access to modern, hygienic, and well-maintained facilities that meet today's expectations. For further inquiries, please email us at property@eastdevon.gov.uk.

Once the new toilets are open, a charge of 40p per use will apply, payable via contactless methods. Special provisions for those unable to pay by card are being developed and will be announced in due course. Showers will be installed at all seafront locations (Exmouth, Budleigh Salterton, and Seaton) as part of the investment.

While work progresses on phase one, EDDC is already preparing for the next phases of the public toilet investment programme. Early design and survey work is underway, and the transfer of Category B and C sites to local town and parish councils is on track for completion by March 31, 2025 with other lettings to commercial operators thereafter.

Appendix B

I have spoken to our Waste Water team about the concerns raised by the Parish Council and am now able to provide an update.

With regards to the sewer network, there is a section of pipe that runs above ground, on concrete pillars. We have had leaks from this pipe and the concrete pillars are in poor condition. My colleagues have advised me that the business is reviewing a scheme to make improvements here.

On other parts of the network, where we have seen flooding, CCTV has been carried out as well as sewer cleansing to remove debris that was identified.

There is no hydraulic model for the catchment but a desktop assessment has identified hydraulic issues in the catchment. A flow survey has been commissioned to help us fully understand and build a model.

We do not use tankers to pump out waste and discharge it straight into the river. Tankers are used to remove sludge (a by-product of the sewage treatment process) to a sludge treatment centre, for maintenance or to transfer flows to an alternative sewage treatment works.