



**Minutes of the Planning and Highways Committee Meeting held in the Market Chambers,
Holsworthy on Wednesday 20th October 2021 at 5.00pm**

Present: Cllr. Parker, Cllr. Musker, Cllr. Shepherd, Cllr. Piper, Cllr Stone.

In Attendance: Town Clerk (TC),
ATTC

450. Apologies for Absence.

Cllr. Stone had given prior notice that she may be late for the meeting

451. Declaration of Interests

Cllr. Parker asked Councillors to declare any relevant interests as they arose. Cllr. Piper declared an Interest on Minute No 454 Planning Application 1/0781/2021/FUL and signed the DOI Register.

452. Minutes of last meeting

Cllr. Shepherd proposed that the Minutes of the Planning & Highways Committee held on the 22nd September 2021, be signed as a true record. This was seconded by Cllr. Parker and agreed. (Vote: 3 For, 0 Against, 1 Abstention)

453. Matters Arising.

Item 446 : Cllr. Shepherd asked if there was an update on the Planning Application for the site. The TC explained that the application was near a decision but there were still some final negotiations being carried out on the S106 Agreement. The total amount of funds incorporated in the S106 towards a MUGA in Stanhope Park is now to be paid prior to occupation of 50% of the dwellings. There are also some funds incorporated in the S106 to go to DCC toward the Ruby Way Cycle Route

Item 447: An update was given on the problem of speeding vehicles near Deer Park and the use of a speed checker. The TC has contacted the Community Speedwatch Co-ordinator for the area to find out more about the problem and how speed checker could be of use.

454. To discuss and give observations on any Planning Applications received prior to the Meeting.

Cllr. Piper declared his interest and made no further comments on the application received.

Applications

1/0781/2021/FUL – Proposed division of detached dwelling to provide two semi-detached dwellings, Winsford House, Stanhope Gardens, Fry Street, Holsworthy.

There were no observations.

Permissions

1/0613/2021/FUL – Proposed Dwelling, Oakleigh, Underlane, Holsworthy

1/0922/2021/FUL – Proposed works to improve access; including new pedestrian access to highway, ramp, new external door and to relocate external boiler. Southville, 10 Deer Valley Road, Holsworthy

Cllr. Kenneally join the meeting at 5:15pm

- 455. To receive decisions from the District/County Council on previous applications and any other received prior to the Meeting.**
None had been received.

- 456. To discuss any Highway Matters (including DCC approved signage into the Town).**
The proposed new signage was now with DCC Highways for their consideration.

- 457. Town Clerks Report**
The TC had nothing to add

Cllr. Musker proposed that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted. This was seconded by Cllr. Shepherd and agreed. (Vote; 4 For, 0 Against, 0 Abstention).

Cllr. Kenneally left the meeting

- 458. To consider the draft S106 Agreement relating to application no 1/0700/2020/OUTM Land at Trewyn Road, Holsworthy.**

Cllr. Stone arrived at 5:17pm

A discussion was held regarding the option for the Council to be included in the S106 Agreement relating to the planning application 1/0700/2020/OUTM. The TC explained that as the S106 was a legal document any decision would have to be agreed at Full Council.

- 459. Close**
Cllr. Parker closed the meeting at 5:43pm

Signed D. H. Parker

Dated 17/11/21



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Present: Cllr. Parker, Cllr. Musker, Cllr. Shepherd, Cllr. Piper, Cllr. Stone.

In Attendance: Town Clerk (TC),
ATTC

**458. To consider the draft S106 Agreement relating to application no
1/0700/2020/OUTM Land at Trewyn Road, Holsworthy.**

Cllr. Stone arrived at 5:17pm

The draft S106 Agreement had been circulated prior to the meeting. It was explained that contained within the Planning Application was an area of Open Space consisting of:
0.847ha of amenity and natural greenspace;
0.021ha of children's playspace;
0.008ha of youth equipped playspace;
0.55ha of parks, gardens and outdoor sports space; and
0.064ha of allotment space.

The Town Council has been given the opportunity to be included in the S106 and have the option of the freehold ownership of the Open Space areas transferred to them with the proviso that it also takes on the management of the Open Space. The S106 Agreement would then include the option for the ownership of the land to be transferred to the Council or a Management Company. The funding of the administration, insuring and maintaining, repairing and, as necessary, renewing the Open Space would be paid for by the buyer of each of the dwellings in the development entering a covenant to contribute to the cost.

There followed a discussion on whether the Council would want the ownership and maintenance of the Open Space or whether to allow a management company take care of it. The open space area was discussed, and it was noted that a disused quarry was part of the area. Cllr. Piper mentioned that it gives the council a chance to contribute to open space within the town but further information including legal advice would be needed before the decision to take up the option to own the open space could be considered. Concerns were raised about if the Council took on the ownership of the Open Space how it could ensure the owners of the dwellings paid towards the maintenance of the Open Space and how non payment could be enforced.

Cllr. Musker questioned if the Council agreed to being included in the S106 Agreement would the Council be forced to take the ownership of the land. It was explained that if the Council agreed to be a party to the S106 Agreement it would allow the option for the provision for the land to be transferred to the Council or a Management Company. Cllr. Piper suggested the council keep their options open and it be discussed further at Full Council.

459. Close

Cllr. Parker closed the meeting at 5:43pm

SignedD.N Parker.....

Dated17/11/21.....