

Minutes of the Parish Council Meeting held on Tuesday 11 October 2016 in the Village at 7.30pm

Present: The Chairman, Cllr David Peart and Cllrs Bridget Culley, Tony Styles, Tony Grunsell, Katie Dixon, Ray Randall, Carole Whitlock, BDBC Cllr Graham Falconer (up to item 4.1) and the clerk, Derek Kane.

Members of the Public in attendance: None.

The proper business of the council commenced.

1. Apologies for Absence: Cllrs Hugo Wurzer and Philip Jeffery

2. Declarations of Interests: None.

3.1.1 The Minutes of the Meeting held on Tuesday 13 September 2016 (previously circulated).

Having been already circulated, Cllr Styles proposed that they were a true record and should be signed; the proposal was seconded by Cllr Culley and unanimously agreed by the council.

3.1.2 Matters arising: None.

3.2.1 (subject to availability), The Minutes of the Annual Parish Assembly held on 3 May 2016. (If not available these will be reviewed at the December Full Council Meeting). Not available.

3.2.2 Matters arising (if applicable). Not applicable.

4. Borough & County Councillor Reports:

4.1 BDBC Cllr Graham Falconer gave his report:

Housing lists: Further to previous PC meetings I have been engaging with the Head of Housing on behalf of two separate people who wish to reside in St Mary Bourne.

Naming of Bells Field: I have told the officers I will defer to the Parish Council.

Recycling: Hants residents are now banned from West Berks HWRC and are expected to travel to Andover or Basingstoke. The proposed solution to allow Hants resident's access to Newbury is expected to be implemented around Christmas.

The public have quite rightly been somewhat confused because of the roles of HCC, West Berks and BDBC. BDBC is responsible for household waste collection. HCC is responsible for household recycling. West Berks is a unitary authority and so does both. So the HWRC in Newbury is organised on borough boundaries and not on distance.

Devolution: The recent ALC meeting had the CEOs of HCC and BDBC give presentations and the Minutes would indicate that there is no consensus.

Finance: The annual accounts were passed last week by the Audit and Accounts Committee of which I am Vice Chairman.

Chairman's Initials

BDBC has net assets of £393m but this is net of a £70m pension hole so in fact it has physical assets of £463m – this is of great concern regarding Devolution as we do not want our assets stripped by other councils.

£164m cash or cash equivalents. £25m is to be placed into a Growth Fund to promote activities in BDBC. £247m property. £74m other assets mainly operational land.

There was a £5.4 m surplus on Income and Expenditure due to savings and deferred expenditure. Our Treasury Management System is based upon a very low risk strategy so given the current climate of interest rates we have asked the Cabinet to consider alternative investments, in particular, housing.

Laura Taylor: One of the three senior directors is leaving to become CEO of Winchester.

By-election: Last week's by-election in Bramley which was due to a Conservative councillor resigning returned the new Conservative candidate with an increased share of the vote.

Broadband: Ashmansworth are looking to a company called Gigabeam who have connection costs of £200 per dwelling for set up. The appropriate BDBC portfolio holder has been informed of this by Cllr Falconer.

Cllr Falconer then left the meeting.

4.2 No report had been received from our county councillor.

5. Items for discussion:

5.1 Bells Field:

5.1.1 Update on Drop-in event for registration advice on rental and shared ownership – to be held in the Club Room on 1 Feb 2016, 4pm to 8pm.

Invitations for BDBC housing advisors and mortgage providers are being made by Hyde Housing (HH). Advertisements / Notices on the event are being prepared by HH and it is planned to place these in both the December and January editions of H&V together with the PC's website, Facebook/BVS and the noticeboards

5.1.2 BDBC: Suggestions required for naming of Bell's Field (the road within the development) – deadline 28/10/16.

Following a discussion the PC agreed on the name **Bell's Meadow**. This is to differentiate from the remainder of Bell's Field which still remains to the west of the development.

5.1.3 (not on agenda): **Cllr Dixon** asked if the developer could be approached to arrange for a **highways soakaway to be placed in the corner of the site adjacent to the highway where the site is first approached from Andover down the Finkley Road / Bourne Hill**. The reasoning is that further capture of Highway run-off before it reaches the junction of the B3048 would be of benefit.

The clerk to contact the developer.

Chairman's Initials

5.2 Flood and Emergency Group (FEG)

5.2.1 – Update:

A Meeting of the FEG took place on 26 September which was chaired by the PC's chairman. His notes of action points was as follows:

Sarah Cooney to advise **Mike James (SW)** of the exact location of the lateral pipe from Bridge Cottage across the Bourne in Stoke (this has been done).

Mike J to confirm what the lateral pipe is for and, assuming it is a sewage lateral, identify where it joins the main sewer.

Simon Cramp (HCC) to check condition of the main bridge in Stoke (bricks dropping off from underneath)

Parish Council (PC) to contact the landowner about re-grading upstream of the bridge by the electrical sub-station north of Stoke.

PC to find out which member of the Hirst family is responsible for the ditch downstream of the culvert at the farm north of Stoke and contact them about getting it cleared.

PC to contact Sovereign Housing to confirm ownership of Bailey Stratton bungalows regarding their maintenance programme for the hedges alongside the ditch upstream of the culvert at the farm north of Stoke.

Simon Cramp to start identifying funds to enlarge the size of the culvert at the farm north of Stoke.

Ian Miller (EA) to advise on river bank reclamation along Gangbridge Lane and alongside the lake.

David Peart to look into grant availability from the Community Fund (HCC) and SSE and others.

Chairman's Initials

The monthly water levels are as follows:**From Sarah Cooney (1 October):**

Here is the latest data point from Robin's well. The measurement is taken from the top of the well down to the water level.

Rolling 6-monthly figures:

2016	cm	d	Comments
2 Apr	113	3	Level rising; river flowing
19 Apr	110	3	Level rising; river flowing
2 May	105	5	Level rising; river flowing
15 May	100	5	Level rising; river flowing
2 June	98	2	Level rising; river flowing
16 June	101	-3	Level falling river flowing
23 June	102	-1	Level falling; river flowing
1 July	106	-4	Level falling; river flowing
15 July	118	-12	Level falling; river flowing
1 Aug	133	-15	Level falling; river flowing
15 Aug	146	-13	Level falling; river flowing
24 Aug	160	-14	Level falling; springs up
2 Sep	181	-21	Level falling; springs up
1 Oct	225	-44	Level falling; river down

***NEW* Year on Year Comparison**

Date	2014	2015	2016
1 Oct	196	382	225

Chairman's Initials

From Clem Jones:

Water levels 1 October:

Overall levels are down and continuing to drop, but they are still higher than this time last year. If the graph is correct, then we had more rain in April through July this year than we did last year so there is still a serious risk for this winter.

Note 1.

The measures at the Vernham Dean Bore Hole and the gauge at Holdway Cottage are from the ground base and are depth of water.

Note 2.

The measure in the Summerhaugh well is the space between the kitchen floor and the top of the water. This is effectively the ground water level at this point in the valley.

Location	1/10	1/9	Oct LY
Vernham Dean Bore	100	103	97
Well at Valley Farm, Stoke	225	181	382
Springs at Stoke	n/a	n/a	
Gauge at Holdway	16cm	18cm	1.5cm
Spring at Holdway	Dry	Dry	Dry
Well at Summerhaugh	113	98	159

5.2.2 Southern Water Stakeholder Workshop 31 October 9.30am to 1pm (optional extension to 3pm) – nearest location Southampton. Noted.

5.3 Neighbourhood Plan (NP):

5.3.1 BDBC: Outstanding requirements for Local Plan Policy SS5 – Update for the parish of SMB:

At the council's Neighbourhood Plan Round Table event, which was held on Monday 6 June 2016, it was highlighted that the council would be undertaking housing monitoring work to establish the current position in relation to the requirements of Policy SS5 (Neighbourhood Planning) of the adopted Local Plan (ALP). This letter outlines the findings of the review for your parish.

The ALP 2011-2029 forms part of the statutory development plan for the borough and sets out the council's vision and strategy for the area up to 2029, and providing the basis for decisions on planning applications. Policy SS5 of the ALP sets the framework for Neighbourhood Planning in the borough and reflects the council's strong support for neighbourhood planning.

The Policy stipulates that at least 750 homes will be delivered across the boroughs five largest settlements (Bramley, Kingsclere, Oakley, Overton and Whitchurch). An additional 150 units are expected to be delivered through Neighbourhood Planning across the remainder of the borough and it will be necessary to identify sites/opportunities to deliver at least 10 homes within and adjacent to each of the settlements with defined SPBs.

Chairman's Initials

The housing monitoring work has included a review of planning permissions and newly built homes from the start of the Local Plan period in April 2011 to March 2016. This has enabled the council to identify which settlements have already delivered towards their policy SS5 requirement.

Paragraphs 4.66 and 4.67 of the ALP explain the criteria for development to qualify under the policy requirements of SS5. For a planning permission to qualify for the policy SS5 requirements it must meet one or more of the following:

- Have 10 or more (net) dwellings on a site and be within the Settlement Policy Boundary (SPB) of the settlements names in the policy.
- Have 5 or more (net) dwellings on a site and be adjacent to the SPB of the settlements named in the policy.

Planning permissions that do not qualify for the policy SS5 requirements are those which:

- Have less than 10 dwellings (net gain of nine or less) on a site within the SPB.
- Have 5 or more (net) dwellings on a site that is not adjacent to the SPB.
- Have less than 5 dwellings on a site outside of the SPB.

As of 1 April 2016, 11 dwellings have been granted planning permission within and adjacent to the St. Mary Bourne SPB in the period 2011-2016 that satisfy the policy SS5 requirement.

Therefore the council considers that the 'at least' 10 requirement has currently been achieved, subject to land supply considerations explained below, and current planning commitments being built out. Progress will continue to be monitored over the coming years in light of the policy SS5 requirement for 'at least' 10 dwellings. The council also notes the progress that is being made in developing a neighbourhood plan for your area.

The council will be happy to provide a detailed schedule upon request, detailing the planning permissions that qualify under the requirements of policy SS5.

Housing land supply:

As explained at the Neighbourhood Planning Round Table event earlier this year, the National Planning Policy Framework (NPPF) requires that Local Planning Authorities demonstrate that they can identify a five year supply of deliverable housing sites. In the event that a five year supply cannot be demonstrated relevant policies for the supply of housing in the development plan (ie the Local Plan and made Neighbourhood Plans) should not be considered up-to-date. Following the adoption of the Local Plan, the borough council is currently able to demonstrate a five year supply of deliverable housing sites. However, it should be noted that this position may change as the land supply position is regularly updated (2015/16 position to be published in late 2016). If this occurs, relevant policies, including SS5, will be considered out of date when assessing relevant planning applications and the presumption in favour if sustainable development will be applied.

Chairman's Initials

5.3.2 Consider and decide on latest draft NP dated September 2016:

The chairman said that whilst he welcomed the idea of use of redundant agricultural buildings for homes to be utilised around the parish including the hamlets, he did question where are these sites and are they available to be developed along the lines suggested by the draft plan (very small developments of 6 or less) to include homes to buy and rent that would be available and affordable to those who don't qualify for social housing.

Cllr Dixon said that the LTPG has identified quite a few.

Cllr Dixon then advised on next steps:

- a). The consultant who carried out the SEA (Strategic Environmental Assessment) will assess whether the existing SEA still covers the revised Plan or if an addendum is required.
- b). The PC decided that a further consultation on the revised Plan should be carried out in the parish to ensure that all parishioners have had an opportunity to consider it. The consultation will have to run for a further 6 weeks. Depending on timing it may not happen until January 2017.
- c). Any comments from the consultation will have to be considered by LTPG and if appropriate incorporated in the Plan
- d). The Plan will be finalised and submitted to BDBC.
- e). BDBC will appoint an independent assessor who will ensure that the Plan is in accordance with Planning Legislation, and make recommendations of changes required.
- f). A referendum on the Plan will be held by B&DBC. For the Plan to be approved a majority of the votes cast have to be in favour.

The chairman proposed that the draft plan be accepted and taken forward and this was seconded by Cllr Culley, subject to a parish-wide consultation when it is reported back (see step b). above). **This was passed unanimously.**

The chairman on behalf of the council expressed his thanks to Cllr Dixon and all the members of the LTPG for their work on the plan.

5.4 Electronic Speed Limit Reminder — update (if any): None.

5.5 DCLG consultation on capping Town and Parish Council precepts (and resultant referendum principles).

Following a discussion on this matter (capping and referendum principles will only apply to the largest town and parish councils) the council agreed that they should still express concerns to the DCLG of a 'thin and of the wedge' as regards all third tier councils in future years where even single figure % increases over 2% (the proposed cap) would only result in very low absolute value increases, given the low revenue bases that small councils operate under. **The chairman** to respond to the consultation.

Chairman's Initials

5.6 Village Centre: Support from the PC requested by the Centre's Trustees re their grant application to BDBC for the funding of replacement doors.

The chairman had prior to this meeting canvassed all councillors, with no objections to support this application being received. The chairman confirmed this at the meeting. The Parish Council therefore supports the application. The clerk to advise the Hall Trustees of this fact and the minute reference.

5.7 Review and decide on Draft Standing Orders.

Model draft orders had been submitted by the clerk which incorporate the latest legislation and rules. Some minor changes to aspects of timings at meetings was suggested and the clerk will incorporate / amend these and present for final ratification and approval at the December Full Council Meeting, when the draft Financial Regulations will also be decided upon (following a draft being considered at the annual Finance Committee meeting in November).

6. Finance

6.1 Consider External audit return and report for the FYE March 2016

The annual return dated 22 September received from BDO was approved and accepted unanimously by the council following a proposal to do so by Cllr Grunsell and seconded by Cllr Dixon .

The following issue was raised by BDO to assist the council. The council is recommended to take action on this issue to ensure that the council acts within its statutory and regulatory framework:

The minutes of the authority indicate that the accounting statements (Section 2) of the annual return had been approved before the Annual Governance Statement (Section 1).

The Accounts and Audit Regulations 2015 prescribed order for the approval of the Annual Return, regulation 6(4) (a) states that "The annual governance statement ... must be approved in advance of the relevant authority approving the statement of accounts."

Action point: The clerk to ensure that for 2016/17 accounts and beyond that the prescribed order is adhered to regarding Annual Governance Statement (Section 1) and Accounting Statements (Section 2).

6.2 Cllr Whitlock: confirmation that Cllr Whitlock is now a signatory is still pending. Noted.

6.3 The meeting to consider any projects, items, proposals involving expenditure for 2017/18 brought forward by councillors:

Suggestions were:

The chairman suggested outdoor 'ping-pong' table (in MUGA?).

The chairman suggested outdoor adult gym equipment at various locations around the perimeter of the Rec (including apparatus suitable for the elderly (suggestion that some could be located along Lake Path (on the way to the surgery) and along the Test Way for the 'school-walk' — both subject to landowner permission). The chairman had viewed, at HPFA suggestion, the King's Somborne set-up and he was impressed

The chairman suggested maintaining, clean and paint existing child apparatus in the two play areas plus introduce ground level trampoline and a traditional roundabout. After consultation with HPFA last month the idea of relocating the existing SMB Play Area to another part of the Rec was considered a non-starter.

Cllr Styles suggested new Map and Map leaflets for walks / footpaths.

The council would look to grants for all the above, possible public fundraising, as well as looking to using some of the PCs reserves.

Chairman's Initials

The clerk to place suggestions into the Draft of Draft budget to be worked on at the Finance Committee Meeting in November.

6.4 Monthly accounts: October:

Account	Amount	
Treasurers Account	2,003.77	
Investment Account	42,785.24	#1
Petty Cash Account	3.18	
Lloyds TSB Fixed Term Deposit	20,000.00	
Less un-presented cheques	1,966.02	
Closing Balance	62,826.17	#1

#1 Balance in Investment Account & Closing Balance includes **£9,640.00** of **Lengthsman grant from HCC** (drawn from remaining balances of 2015/16 and 2016/17 grant. held on behalf of 11 associate parish and town councils.

Payments made since the Full Council Meeting on 13 September 2016:

Payee	Cheque No	Amount
Eclipse Pest Control	2642	130.00
WG Hibbs Suppliers (materials for wicket maintenance)	2643	785.18
BDO LLP (external audit fee)	2644	360.00
Rialtas Business Systems (Data back-up service)	2645	136.80
Voided	2646	0.00
HMRC: (PAYE Q2 2016/17)	2647	553.04
TOTAL		1,965.02

Above payments were agreed at the Planning Committee Meeting on 28 September 2016.

All of the above are unrepresented plus cheque 2641 for Sovereign Housing for £1.00 agreed at the Full Council meeting on 13 September.

Receipts since the Full Council Meeting held on 13 September 2016 (into Business Investment Account):

Source	Date	Amount
SMB Football Club (Joel McCormack - Match Fees 2016/17)	9/9/16	375.00
Bank interest	9/9/16	1.64
HCC - Lengthsman Grant + Commission (£100) for joiner: Ashford Hill with Headley PC	21/9/16	1,100.00
BDBC Precept Part 2 of 2	26/9/16	9,748.50
TOTAL		11,225.14

Chairman's Initials

Lengthsman funds, as at 30/9/16 held by SMB PC, in Business Investment a/c, on behalf of the 10 associate town and parish councils.

Item	Payments In	Payments Out	Date	Balance
b/f				9,180.00
Hurstbourne Priors		220.00+vat	13/9/16	8,960.00
Burghclere		320.00+vat	13/9/16	8,640.00
Ashford Hill with Headley	1,000.00		21/9/16	9,640.00
c/f				9,640.00

The clerk continues to discuss with the councils who had unspent monies from 2015/16 as to bringing forward extra work asap (East Woodhay & Overton).

Payments Due at Meeting:

Payee	Cheque No.	Amount
Derek Kane (salary)	2648	670.02
Derek Kane (expenses)	2649	14.42
Premier Grounds and Garden Maintenance for SMB	2650	699.00
Premier Grounds and Garden Maintenance – Lengthsman for Hurstbourne Priors PC	2651	504.00
Premier Grounds and Garden Maintenance – Lengthsman for Longparish PC	2652	24.00
Premier Grounds and Garden Maintenance – Lengthsman for Burghclere PC	2653	672.00
St Mary Bourne Village Centre (6m rent for parish office Oct '16 to Mar '17)	2654	2,000.00
Adam Lonsdale (tree works off lay-by on B3400 opp Queens Cottages, subbed out by D.Fiske)	2655	450.00
Total		5,033.44

Invoices raised since last Full Council Meeting:

To	Inv No.	Dated	Amount
David Scrase (Fishing Q3 2016/17)	11/16	30/9/16	720.00
Total			720.00

Provision to be made **£1,000** for any unforeseen expenses this month. It was agreed to transfer **£6,000.00** from the Business Investment account to the Treasurers account.

The acceptance of the **reconciled** accounts for the month of October was proposed by **Cllr Styles** and seconded by **Cllr Randall** and unanimously agreed by the Full Council.

Chairman's Initials

7. Planning:

7.1.1 Report from Planning Committee Meeting held on Wednesday 28 September 2016 (previously circulated).

7.1.2 Matters arising from the Report: None.

7.2 Planning Applications for discussion at meeting:

7.2.1 – 16/02951/FUL – Anaerobic Digester at Faulkners Down Farm, Walworth Road, Picket Piece, SP11 6LZ – Alterations and additions to plant, including erection of biodigester and installation of hydrolyser; alterations and extension to barns, erection of fencing and retaining wall, construction of tunnel, change of use of workshop to offices; enlargement of biodigester plant to provide Feedstock Stock Store, including re-contouring of land to form sunken terrace with embankments and settling ponds, with associated landscaping, fencing, plant, weighbridge and office, erection of feedstock system building, planting and associated works (Part retrospective).

Decision: No objection. At the meeting Cllr Styles raised his concerns about rising 'light pollution' and increased traffic (as had one absent member of the Planning Committee, when the plan had been distributed around the committee for scrutiny over the last circa 10days).

7.2.2 – 16/03267/HSE – Wadwick House, Wadwick Bottom, Wadwick, SP11 6ET – Erection of oak framed garage building following demolition of existing.

Decision: No objection.

7.2.3 – 16/03360/HSE – Queen Anne Cottage, Church Street, SMB, SP11 6BL – Erection of detached double garage following demolition of existing garage.

Decision: No objection.

7.3 Trees – Notices of Intent: None.

7.4 Advice of Planning Applications considered by BDBC:

16/02412/HSE – Ashvale House, Stoke Hill, SP11 0LT – Erection of a summer house.

Granted on 13 September 2016.

7.5 Planning applications withdrawn to be noted: None.

Chairman's Initials

7.6 Planning appeals:

7.6.1. 14/02566/FUL – Pioneer House, Church Street, SMB – Change of use from light industrial to residential dwelling including provision of first floor, installation of roof lights and creation of balcony to rear.

In October 2014 the clerk had minuted the PC's comment:

Decision: Object.

Reasons: Overdevelopment (especially in height for extension). There is an impact on The Malt House and with the surrounding area for the rear of the row of cottages and gardens. Not in keeping and out of context. Also we have concerns that the statement of petrol storage tanks not existing maybe incorrect. We are not sure that such tanks (many years ago the property was a petrol station) were removed / filled-in.

In January 2015 the clerk had minuted BDBC's decision:

Refused on 15 January 2016.

Reasons: The proposed extensions and alterations to the property, by way of the overall height, depth, siting and close relationship to The Malt House, would result in a visibly oppressive and overbearing impact, to the detriment of the amenities of the occupants of The Malt House.

The applicant appealed against BDBC's decision.

14/02566/FUL decision on – Pioneer House, Church Street, SMB – Change of use from light industrial to residential dwelling including provision of a first floor rear addition including the installation or roof lights – **was refused by BDBC on 15 January 2016 and objected to by SMB PC on 14 October 2014 (fourteen) for the same reasons (overbearing on The Malthouse) has been sent to the Secretary of State for appeal by the applicant.** Any representations previously made to BDBC on this application will be forwarded to the SoS by BDBC, but any further or amended representations should be received by the Planning Inspectorate by 23 August 2016. The PC's comment on objection can be found on the PC's minutes of the Full Council Meeting 14 October 2014.

Cllr Styles raised the matter of the petrol tanks (and their possible presence).

The clerk advised that although not material to the PC's objection (back in Oct 2014) he had passed additionally as a comment the council's uncertainty as to whether the tanks were removed or filled-in 'years ago' along with the council's objection on the basis of planning criteria (overbearing, overdevelopment).

He received a phone call from the BDBC Planning Officer a few weeks later about the petrol tanks who was seeking any further information on them. The clerk did not have any more information and said that the presence or otherwise of tanks is anecdotal, but was not material to the PC's objection.

Clem Jones offered to talk to an elderly contact in the parish who may know about the fate of the tanks.

The clerk advised the council that any comments about the tanks regarding an appeal need to be sent to the SoS and not the LPA for consideration and that the deadline of the 23 August 2016 needs to be borne on mind. Should any comments be sent about them it must be clear that these are in addition to the material planning considerations that the PC made in their objection.

Decision: The comments made by the PC when considering the application in October 2014 should stand and will have been forwarded by BDBC to the SoS.

Chairman's Initials

In August 2016, although not material to the PC's comments, the clerk passed on to BDBC the following information on petrol tanks that had been obtained by Clem Jones (note: bot to the SoS):

"I have spoken to xxxx xxxxx. Her recollection is that when they ran it as a garage in the 1960s they had two underground petrol tanks, a main (larger) one under the main garage and a second (smaller) one under [?] the extension to the side.

When they sold the premises to <a previous owner> for use as accommodation/office and workshop the main tank under the main garage had to be decommissioned and filled in.

This was done professionally with sand and water as per the rules extant in 1965 or so.

To her recollection they did not do anything to the smaller tank since the new owner (<the previous owner> wanted to use it to store his central heating oil for the premises.

They do not know what has happened to this tank since."

DECISION REGARDING THE APPEAL BY THE PLANNING INSPECTORATE:

On 30 September 2016:

Appeal allowed.

Extract from the Decision Notice:

5. The main issue is the effect of the development on the living conditions of occupiers of The Malt House, having particular regard to matters of outlook.

8. I accept that the proposed extensions would be higher than the existing boundary shared with The Malt House. However, this boundary is currently quite high and imposing and already significantly restricts the outlook for occupiers of The Malt House. The opposite side boundary to the rear of The Malt House, in contrast, is formed by a much lower wall which provides a more open outlook.

9. I saw on my site visit that the rear garden to The Malt House is largely arranged away from the high brick boundary shared with Pioneer House. For example, the main rear door opens out onto a patio area which is separated from the area of garden closest to the boundary with Pioneer House by a stone wall. This is not a low wall therefore it acts, in part, as a visual barrier to the boundary with Pioneer House and also provides separation from it. There is a further patio area deeper into the garden which sits adjacent to the boundary with Pioneer House but this would be closer to where the lower part of the extension is proposed. In light of the above I do not consider that the extension would have an oppressive or overbearing impact on these patio areas. The rear garden to the Malt House is also quite deep, and a second area of lawn is located beyond the extent of the proposed extension.

10. Therefore, given the existing conditions to the rear of The Malt House, with the high boundary wall along the shared boundary with Pioneer House, the open aspect to the south-east, the patio arrangements, and the relatively deep garden, the proposal would not result in any significant loss of outlook, nor would it be especially oppressive or overbearing. The use of half hips and the low 25 degree pitch of the roof further support my conclusions in this respect. Consequently satisfactory living conditions for occupants of The Malt House would be retained. As a result I find no conflict with Policy EM10 of the LP or Appendix 13 of the Design and Sustainability Supplementary Planning Document (2012), both of which require development to respect the amenities of neighbouring properties, in terms of, amongst other things, outlook.

Chairman's Initials

11. The Council suggest that losing the private car showroom element of the proposal would enable the size of the extension to be reduced and also comment that there are no other similar sized extensions in the area. However, given that I have found no harm in respect of the main issue in this appeal these matters can only be afforded limited weight.

12. The neighbour at The Malt House raises concern over a loss of light to a dining room and that the proposed rear extension would dominate views from here. The extension would be located to the north of The Malt House and as such would be unlikely to result in any material loss of light or overshadowing. Some of the extension would be visible from the dining room, mainly through roof lights in this room, but I do not consider this would be harmful, as occupants would continue to enjoy an open and unimpeded aspect down the property's rear garden.

13. The neighbour also raises concern about visitors to the property. The proposed dwelling includes a private car showroom. The showroom would be for the private display of cars only and public views would be limited. Therefore I do not consider that visitors to the site would be above that which would normally be associated with a private domestic residence. On-going maintenance of a shared drainage point would be a private matter between the parties.

14. The Parish Council consider that the development would be out of keeping with the surrounding area. However, given the existing extensions and additions at the site I find no harm in this respect and note that the Council came to a similar conclusion on this matter. The appellant's comments in relation to the time spent by the Council in processing the planning application are dealt with in more detail in the Costs Decision.

Conservation Area/Settings of Listed Buildings

15. The site falls within the St Mary Bourne Conservation Area (CA). The proposal includes works to restore the front elevation. This would improve the appearance of the building, which in turn would enhance the appearance of the CA, and the settings of adjoining Listed buildings. The Council agree that the proposed restoration of the front elevation would be an enhancement. This matter, therefore, weighs in favour of the proposal.

Open Space Contributions

16. A signed and dated planning agreement is before me that makes provision for the payment of £1591.68 towards open space and £560.19 towards play provision. The Council say this would be used towards access improvements and additional furniture and equipment at St Mary Bourne Recreation Ground.

17. The proposed dwelling would have private rear garden space. Nevertheless, the St Mary Bourne Recreation Ground is close by and as such could reasonably be used by future occupants. From what I saw on my site visit there was reasonable access and parking here, and a well-equipped children's play area complete with benches. There is no suggestion that the access or facilities at the recreation ground are currently inadequate and no specific detail is before me as to how the required sums would be spent. In addition to this, the figures appear to have been calculated using a formula based on dwelling size. The dwelling size applied is '4 bed' but the proposal before me is for a three bedroom dwelling. There is no justification as to why the higher amount has been applied in this instance.

18. Based on the limited information before me it has not been demonstrated that the above contributions are necessary to make the development acceptable in planning terms or that they are fairly and reasonably related in scale and kind to the development. As such they do not meet the three tests set out in Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 or paragraph 204 of the National Planning Policy Framework. I have therefore not taken the planning agreement into account in determining this appeal.

Chairman's Initials

Conditions

19. The Council has suggested a number of conditions in addition to the standard time limit condition. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning, and a condition concerning the external materials to be used in the development is necessary to ensure a satisfactory appearance.

20. In addition to the above I have included a condition to mitigate any impacts of the development on protected species. A condition requiring the submission of a Construction Method Statement is also necessary given the narrow width of the highway to the front of the appeal site, in order to limit inconvenience to local residents and/or other highway users.

21. Finally, in light of the previous industrial use of the site I have also included a condition to avoid the risk of land contamination when the site is developed. However, I do not consider that verification of the implementation of the approved scheme to deal with remedial works and measures by a competent person is necessary. Simply requiring the development to be carried out in accordance with the approved scheme would suffice.

22. There is discussion between the parties as to the need for the roof lights in the rear extension, which would face towards The Malt House and properties beyond to the south, to be obscure glazed and non-opening, and the Council have suggested a condition to this effect. In general I consider that roof lights, by their very nature, do not allow for direct or harmful overlooking. In this case, the roof lights proposed would provide views predominantly of open sky, particularly given the shallow angle of the proposed roof slope. Such a condition is therefore not necessary to protect the privacy of occupiers of neighbouring properties.

23. The site already benefits from a rear vehicle access and space for off-road parking and cycle storage. As a result it is not necessary to condition the submission of details of such facilities.

Conclusion

24. For the reasons set out above the proposal would not cause material harm to the living conditions of occupiers of The Malt House in terms of a loss of outlook. It would also bring about a modest enhancement to the St Mary Bourne Conservation Area and the settings of adjoining Listed Buildings. Therefore, having had regard to all matters raised, and subject to conditions, some of which will need to be discharged before work commences on site as this is fundamental to ensuring a satisfactory scheme, the appeal is allowed.

The full notice can be found on:

<http://pad.basingstoke.gov.uk/documents/4753/01/10/40/01104034.PDF>

Chairman's Initials

7.6.2. 16/01638/LBC – Yew Tree Cottage, Gangbridge Lane, SMB, SP11 6EP – Installation of 13 replacement windows.

In May 2016 the clerk had minuted the PC's comment:

Decision: No Objection.

In June 2016 the clerk had minuted BDBC's decision:

Refused on 3 June 2016

Reasons:

The proposed development is considered to be harmful to the significance of the listed building by virtue of the loss of historic material fabric which makes a positive contribution to the significance of the listed building and as such is contrary to the guidance contained within the National Planning Policy Framework (March 2012) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

The applicant has lodged an appeal on 10 October 2016.

If the PC wish to make further comments on this application the deadline is 11 November 2016.

The PCs comments of 'No objection' stand. BDBC will forward this comment by default.

7.7 Compliance: None.

7.8 Other parish councils' planning matters: None.

7.9 Other Planning matters: None.

8. Recreation Ground and Lake:

8.1 Consider quote for repairs to equipment on Play Areas.

There is a minimum charge of £385.00 + vat to attend to repairs.

Medium Risk Items add-up to £75.00.

The Hi-Risk item at Stoke = £126.50. This has since been rated as Med Risk. The clerk puts this down to the holiday-relief for the usual inspector having graded the issue higher.

Low risk items that are at £100 or under add-up to £190.00

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This all adds-up to £391.50. The clerk advises that the PC should go ahead to ensure that items medium-risk do not migrate to high-risk and then an incident occurs for which the PC could be accused of being negligent if they chose to ignore.

The wet pour (cut and infill) items (low risk) add up to £734.00. The clerk suggests that these should be parked.

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**The council agreed to the repairs totalling £391.50 as quoted by Vitaplay.**

**8.2 Permission sought by Friends of SMB School for parking on the MUGA during their Christmas Fair on 18 November 2016:**

**Decision: Granted.** The clerk will arrange for the MUGA gate to be opened early am on 18/11/16 and closed later during the evening.

**8.3 (not on agenda): Recreation Ground Cut:** Premier Grounds have reached their contractual requirement of 36 cuts for 2016/17. They are proposing to bring forward the cut ready for this weekend (15-16/10) to Thu 13/10 and are enquiring if they should continue on a weekly basis while growth and grounds conditions permit.

Yes to 13/10/16 cut. Then fortnightly until winter-weather / rain sets in.

**8.4 (not on agenda): The chairman** had received very favourable comments from the SMB Football Club about the pitch condition.

**9. Item of Correspondence to be circulated**

**9.1 HCC Countryside Access: Small Grants Scheme:** next deadline 24 October. Noted.

**9.2 HCC Countryside Access: Newsletter 2016:** Noted.

**9.3 Police: September Report:** Noted.

**9.4 BDBC: Remembrance Sunday (13/11) invite to chairmen.** Noted.

**9.5 NWDAONB: Reply about attending APA 2017 for presentation on BWDAONB:**

The PC is amenable to a 15 min presentation by the above rather than an hour.

**With regards to the APA the chairman** asked that the APA be placed on the January agenda with a view to overhauling the proceedings to make them more attractive and less onerous on attendees and to attract more parishioners to attend.

**9.6 (not on agenda): Police: Community Policing Priorities survey:**

The clerk will forward the link for councillors individually to consider.

**10. HALC/BDAPTC/SLCC/Training & Conferences Reports:**

**10.1 HALC: E-Update for September.** Noted.

**10.2 HCC – Devolution Workshop** – Clerk attended – Report from HCC and clerk's view of proceedings. Noted.

The clerk's view, whilst interesting to see the HCC view explained by the leader and CEO, he felt that the workshops were very much working toward what HCC wants although viewpoints by participants were noted and will be consolidated at a later date.

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The clerk's view is that HMG should put this matter of devolution on hold given Brexit (and the impact and unknowns generated from that) and the unbalanced constitutional and democratic settlement that exists between the UK nations and with 1st, 2nd, 3<sup>rd</sup> tiers (not all the country is 'parished' – eg much of Basingstoke itself), and unitary layers of local government.

**10.3 BDAPTC: Report of 13 September meeting:** Noted.

**10.4 BDAPTC: CSW in Basingstoke:** Noted.

## **11. Footpaths:**

**Update from the Planning Inspectorate regarding Rope Yarn Lane (Order No 45):**

Extract from the notice dated 19/9/16 from the Planning Inspectorate to HCC regarding the appeal set against the above order:

“... Examination of the Order and map has revealed that the Order has been incorrectly drafted ...

The route claimed in the Order is a Restricted Byway, therefore, the correct notation would be that ... Being either a broken green line or by a broken line with small arrowheads. However it has been indicated on the Order map as a continuous green line (the notation for bridleway) which is considered significantly incorrect and misleading.

The Secretary of State takes the view that this constitutes a fundamental error which is fatal to the validity of the Order ...”

## **12. Highways/Transport/Services:**

**The chairman had written to County Cllr Tom Thacker** on 18/9/16 regarding the many o/s Highways issues.

**Cllr Styles** had raised with the clerk who had then informed HH of the damage to two footpath finger signs by the recent (annual) hedge and verge cutting. The clerk will write to HH again about the possibility that others beyond Cllr Styles observation that may have suffered a similar fate to be checked.

**Cllr Dixon** had been contacted by a Binley resident who has been writing direct to the county councillor about Highways issues in the Binley area. Cllr Dixon will meet with him and a HH rep as and when it can be arranged.

**There being no other business the meeting closed at 9.35pm.**

**Chairman, St. Mary Bourne Parish Council.**

Date \_\_\_\_\_

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