

*Minutes of an ordinary meeting of Burghclere Parish Council held on 7<sup>th</sup> December 2020 at 7pm and in accordance with current guidance this was held virtually via “Zoom”*

**Present:** Cllrs R Carrow (Chair), A Crowley (Vice Chair), S Whiting, G Morton, I Collins, B Canning and A Wason

Borough Cllr J Izett (from item 5 and up to & including item 10)  
County Cllr T Thacker (up to & including item 4)  
J Letsome (Clerk)

**1. Apologies**

None.

**2. Declaration of members’ interests for this meeting**

Cllr Morton declared an interest with regards to Item 9 on the agenda.

**3. Confirm minutes of the meeting held on 2<sup>nd</sup> November 2020**

The minutes of the ordinary meeting held on 2<sup>nd</sup> November 2020 had been circulated prior to the meeting, Cllr Morton proposed they be accepted as a true record, this was seconded by Cllr Whiting and agreed by all.

**4. County Councillor Report**

Cllr Thacker had previously circulated a report which covered:

**COVID-19**

The Government decision to place Hampshire in to Tier 2 showed there was still have some way to go in controlling the virus. Cllr Thacker added that he was aware that there had been some cases at The Clere School which were being appropriately handled.

**Household Waste Recycling Centres and Country Parks**

These remained open with social distancing measures in place and in line with Tier 2 restrictions.

**Vulnerable Families**

Hampshire County Council had worked with partners to immediately distribute £150,000 of funding to support food banks and charities that were helping support the most vulnerable families in Hampshire during the half term break.

**Surface Water Drainage and Flooding**

Hampshire Highways routinely maintains Hampshire’s 60,000 gullies and 4,600 catchpits, as well as carrying out a continued programme of improvements to highway surface water drainage systems to make Hampshire more resilient to the effects of extreme weather. His report provided guidance on how issues could be reported.

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### **Great Waste Grants Open**

Grant funding was available to community groups, small businesses, schools, charities and Parish Councils to fund projects to help reduce waste, reuse or repair items.

### **Parish Lengthsman scheme**

Local communities across Hampshire would continue to benefit from the County Council's Parish Lengthsmen scheme. Funding for their work to carry on next year was approved by the Hampshire County Council Cabinet. Some funding had also been put aside by Culture Communities and Rural Affairs to 2023.

This was welcomed by Cllrs.

### **Highways Area Management**

Highways had changed their operating model for the area, resulting in a new team of engineers. The new team had stressed that they depended on the Parish Councils and residents reporting issues and problems on the Highways portal and then, with the knowledge of the Job Reference Number, escalating through the County Councillor.

Cllr Thacker went on to report on specific matters of interest to the Parish Council, including:

#### **C45 Newtown – Drainage Issue**

He noted that Hampshire Highways had written to Cllr Carrow and the Chair of Newtown PC; it was hoped that exploratory works would be instigated by the end of Jan 2021.

#### **Danger-Ice signs at Broken Way and Ox Drove Fords**

Cllr Thacker understood that Hampshire Highways had decided to look again at each implementation of Ice signs on unmetalled roads. If there were minimal risks on Ox Drove and Broken Way, the signs would be removed. He understood that depth markers were on order for the ford in Featherbed Lane.

Cllr Carrow reported that he had responded to Hampshire Highways letter regarding the C45 issue to clarify any possible confusion regarding the Fords.

Cllr Carrow raised continued concerns regarding the overnight parking of lorries on the A34 bridge at Tothill and said he had been approached recently by a Parishioner regarding a dislodged manhole cover. He had experienced difficulties establishing which authority had responsibility for the area and reaching the correct contact, but had recently obtained contact details which he would follow up.

## **5. Borough Councillor Report**

Borough Cllr Izett reported on:

- **C45** – Hampshire Highways had advised it would be a difficult problem to resolve without undertaking a major drainage improvement scheme, for which there was no funding. He confirmed they were arranging for a slot trench to

be dug across the road to see if they could identify the source of the water, and they were also ascertaining if it might be possible to create a subsurface drainage path. It was not envisaged this would be completed until early in the New Year.

- **Public Spaces Protection Order** – Cllr Izett confirmed this had been approved and would enable on the spot fines to be issued for dog fouling in public spaces.
- **Covid-19** – Cllr Izett understood there to be 173 cases in the borough for the week of 23 – 29<sup>th</sup> November with a rate of 98 cases per 100,000. This was higher than elsewhere in the county. The numbers in all but one area of Hampshire continued to decline.
- **Barton Stacey** – The Home Office proposed to accommodate up to 500 refugees in a camp to be created there. This was likely to raise questions about it as an appropriate location.
- **BT/Openreach scheme** – Some parishes had been invited to participate in a full fibre scheme. Cllr Morton confirmed he had received an email with a similar invitation. Cllr Crowley felt it was something that residents should consider if the opportunity was being made available.
- **Christmas Parking** – Free parking was being made available in Basingstoke every Thursday between 4pm and 7pm and in Lower Basing View Car Park throughout December.
- **Meeting with Borough Police Commander** – This took place on 2<sup>nd</sup> December and involved Councillors from Burghclere, Highclere, Ecchinswell, Ashmansworth and St Mary Bourne. It was felt to be a good meeting, with the main points of interest to be:
  - Increased staffing.
  - The importance of reporting suspicious activity.
  - Collaborative working across the borders.

## 6. Parishioners’s open time

There were no Parishioners present or comments raised.

## 7. Chairman’s comments

### **Cllr Carrow reported on:**

**Rubbish** – accumulating around the recycling bins at the sports club. The litterwarden had tidied this up at his request. Cllr Whiting said she had been monitoring this and would continue to do so, reporting as required.

**Ice & Snow** – this would be raised under the Pinder agenda for a discussion on responsibilities.

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**8. Coronavirus**

Cllr Carrow said that he had received one request to assist with a prescription collection for a resident in Breachfield.

Cllr Izett agreed to ask the appropriate officer for an update as to why the numbers in the Borough were relatively high when compared to other areas of Hampshire, however he noted that overall they remained lower than the national average.

**9. Planning applications received since 2<sup>nd</sup> November 2020**

20/03074/HSE 6 Weir Vale Cottages, Sydmonton Road, Old Burghclere RG20 9NR

Erection of two storey side, single storey rear and single storey front porch extension.

**Response: No objections**

**The applications below had required a response prior to 7<sup>th</sup> December and were therefore reviewed by the Planning Working Group and responses submitted as given prior to the meeting.**

20/02982/LDPO 4 Weir Vale Cottages, Sydmonton Road, Old Burghclere RG20 9NR  
Certificate of lawful development for the proposed erection of a car barn outbuilding.

**Response:** *“Burghclere Parish Council is grateful for sight of the Licence for Lawful Development. Having visited the site and spoken with the builder we wish to note that the proposed site shown in the architect's drawing is not the same as building activity on the ground. You will note in the attached photograph the actual location and that the tree shown on the plan has been cut down. We would wish the drawing to be corrected, and insofar as legality is concerned would raise no comment so long as the new structure conforms to PDR within an AONB.”*

T/00558/20/TPO Byeways, Oxdrove, Burghclere  
Cherry (T1) - Prune. Oak (T2) - Prune.

**Response:** No objections. \*Cllr Morton had previously submitted a declaration of interest with regards to this application which related to a neighbouring property, he advised that he had also submitted a response of no objection in a personal capacity.

20/02906/LBC The Carnarvon Arms, Winchester Road, Whitway  
Repair timber windows, replacing glazing, replace timber sashes and replace timber window sills

**Response:** No objections.

20/02847/HSE The Haven, Limes Avenue, Burghclere  
Extend existing rear dormer to accommodate first floor shower room

**Response:** No objections.

20/02757/HSE Walnut Cottage Ox Drove Burghclere RG20 9HH  
Erection of an orangery to rear following demolition of existing conservatory

**Response:** No objections.

20/02847/FUL The Carnarvon Arms, Winchester Road, Whitway  
Erection of timber and glazed free-standing pergola to cover walkway, associated lighting, new timber fence and gate

**Response:** No objections.

## 10. Planning

Cllr Carrow spoke to a previously circulated report as attached at Appendix 1 and was discussed as outlined below:

### **Falcon Development Appeal**

The virtual hearing had taken place on 3<sup>rd</sup> December, lasting a full day. Cllr Izett noted the amount of report writing and number of people involved in the process, but recognised it was necessary when considering this potential change to the heart of the village. He felt the inspector to be very professional and it was clear that the Falcon developers had invested a lot of money in obtaining expert advice. Cllr Izett also felt the Parish team were very well represented and reported that Cllr Carrow had presented their case well and eloquently, focusing the argument on planning concerns.

Cllr Carrow reported on his concerns that the LPA was not as supportive as might have been expected with regards to the issue of prematurity and their legal duty to have regard to a post-examination neighbourhood plan. He also noted that the referendum would have taken place, had it not been for Covid-19.

There was a general discussion on the implications of submitting a recovery request, during which it was acknowledged that it would be a lengthy and time consuming process, however the strength of Parishioners feelings towards the development were recognised. Cllr Carrow confirmed that any recovery request would need to be submitted swiftly and in advance of the appeal decision.

Cllr Izett suggested that it would be wise for the Parish Council to plan for the possibility that the appeal was successful by considering how they could influence the allocation of S106 funds.

After further discussion, it was agreed that Cllr Izett would consult with the Chief Planning Officer to obtain a realistic opinion on the likely outcome of a recovery request. He would report back with the outcome to Cllr Carrow, ideally by the end of the coming week, after which a final decision would be reached.

### **Neighbourhood Plan Update**

B&DBC had provisionally confirmed that the referendum for the NP could take place on 6<sup>th</sup> May 2021.

## **Proposed Development of up to 400 houses in Bishop's Green**

Cllr Carrow reported that whilst this development was not within Burghclere Parish, it was a significant development which would have an impact on the community, therefore the Parish had been invited to submit views. All agreed with the factors he had raised as being relevant, as detailed in the report attached at Appendix 1.

### **11. Open Space and Play Projects – S106 Funding**

A letter from B&DBC had been received requesting updated information to justify S106 contributions to enhance open space, allotments, equipped play and sports facilities. This had been circulated to all prior to the meeting.

On discussion it was agreed that this would be appropriate for the Pinder Estate Strategy team to look at, as part of an overall overview. Cllr Crowley would arrange a meeting to enable a more focused discussion to take place.

### **12. Documents for Review and Agreement**

#### **Footpaths Officer Role**

This was reviewed and approved by all.

#### **Tree Officer Role**

This was reviewed and approved by all.

#### **Litterwarden Risk Assessment**

Two documents had been circulated prior to the meeting – the original Risk Assessment and a draft revised document that had been produced by Cllr Wason. Cllrs were invited to submit suggested amendments to Cllr Wason so that a revised document could be presented to Cllrs for final approval in the January meeting. Initial suggestions included the carrying of a mobile phone at all times, the potential for encountering anti social behaviour and increasing the risk level when handling sharps to medium.

### **13. Councillor Vacancy**

The Clerk reported that B&DBC electoral services had confirmed that there had been no submitted requests for an election therefore the Parish Council could continue with filling the vacancy by co-option. Cllr Wason had agreed to write a short article for the parish newsletter on her experiences as a new Councillor and with a view to encouraging interest.

### **14. Grant Applications**

An application from the Church had been received for £1000 towards Churchyard maintenance costs.

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On discussion, it was felt that this represented a significant increase from the £700 allowed for in the budget, therefore more information was required before considering if a higher amount could be included when preparing the Precept request for 2021/22. In the meantime it was agreed that the Church could only receive £700 as detailed in the 2020/21 budget.

**15. Lengthsman**

The Clerk reported that the next scheduled visit would take place on 11<sup>th</sup> January 2021. It was agreed there was likely to be a selection of tasks, such as cutting round signposts, but final confirmation would be agreed a little nearer the time and prior to submitting the work schedule.

**16. Trees**

Cllr Morton gave an overview of three quotations that had been received for work to be undertaken on the tree outside the Portal Hall which was overhanging the playground, these also included work that would be required on an additional tree. On discussion it was agreed to accept the quotation submitted by Greentips for crown reduction of both trees at £960. The work would take place during the Christmas period.

**17. Footpaths report**

Cllr Carrow reported that:

The metal kissing gate to be located at the top of the field above West Street had not yet been delivered, but it was hoped that it would be installed either before Christmas or early in the New Year – weather permitting.

A bridge survey had been undertaken at the request of Countryside Services, this had resulted in 35 bridges/culverts listed in the Parish being checked and confirmed. It was hoped these would soon be recorded on Hantsweb.

**18. Flooding**

Cllr Carrow reported that he had received an update from Thames Water confirming that an Infiltration Management Plan was on the agreed list with the Environment Agency. They would publish a plan over the coming year to outline how they would investigate and deal with ground water infiltration into the system. They would also be undertaking long term monitoring surveys to establish locations in the public network that could be contributing to the problem.

Cllr Carrow would be writing an article on this, together with advice on ditch clearance, for publication in the Parish Magazine and on nextdoor.com.

## 19. Hampshire 2050 Climate Change

Cllr Carrow understood that Overton Parish Council would be producing guides in December and in the meantime there was nothing further to report.

## 20. Parish Website & IT

Cllr Crowley gave an update on progress being made towards completion of the new website, it was agreed that he would circulate a link to all Councillors to enable them to view its appearance and layout. He would be able to arrange a short session to go through it in more detail should that be required. On discussion, it was agreed launch it by the beginning of February 2021.

He also reported that new email addresses were being set up for all Councillors to enable them to ensure there was separation between parish and personal emails. Further details regarding the setting up procedure would be shared after the meeting.

## 21. Accounts

### To review and approve monthly payments and bank reconciliation

The Clerk had previously circulated the payments for December for approval, together with invoices and supporting paperwork and as detailed below. These were approved for payment via BACS.

Budget Section	Date	Details	Cheque	Amount
<b>Expenditure</b>				
Salary/PAYE	01/12/2020	F Knott - Litterwarden	SO	£453.44
Salary/PAYE	01/12/2020	J Letsome - Salary	BACS	£520.00
Courses/Admin	01/12/2020	J Letsome - Expenses	BACS	£38.36
Salary/PAYE	01/11/2020	HMRC re F Knott PAYE	BACS	£90.60
				<b>£1,102.40</b>
<b>Income</b>				

The Clerk had previously circulated a bank reconciliation completed to 9<sup>th</sup> November 2020 showing:

- A balance in the Treasurers account of £14,601.45
- The balance in the Business Bank Instant Account stood at £6803.67.
- The balance in the Newbury Building Society account stood at £19292.87

Chairman Signature: .....Date: .....



**To review current budget & cashflow summary**

This had previously been circulated to all Councillors and it was noted that there were no significant changes since the previous month.

**To review updated draft budget 2021/22 in preparation for Precept Request**

The Clerk spoke to a previously circulated draft budget. It was agreed that a revised version would be prepared for final approval in the January meeting which would include an uplifted figure for discretionary grants, whilst still ensuring the Precept request remained in line with the previous year.

**22. Clerk's Report**

The Clerk had previously circulated an email regarding arrangements for the national census that was due to take place in March 2021. She would respond to the questions as agreed.

**23. Future Meetings**

The next meeting to be held on Monday 4<sup>th</sup> January 2021.

There being no further business the Chairman closed the meeting at 9.11 pm

### Actions from December Meeting:

Item No:	Action	Due by	Progress	Owner
3	Upload approved November meeting minutes to website			Clerk
8	Obtain more information on Covid-19 statistics			Cllr Izett
9	Submit response re planning application 20/03074/HSE	23/12/20		Clerk
10	Consult with Chief Planning Officer re submission of recovery request	11/12/20		Cllr Izett
10	Submit response to Bishop's Green Development			Cllr Carrow
11	Arrange Pinder Strategy meeting			Cllr Crowley
12	Upload Footpath & Tree officer roles to website			Clerk
12	Prepare revised Litterwarden Risk Assessment for approval			Cllr Wason
13	Parish Magazine Article re Councillor Vacancy	11/12/20		Cllr Wason
14	Advise grant applicant of decision			Clerk
15	Finalise Lengthsman tasks for January and submit schedule			Clerk
16	Accept quote for tree work and arrange completion	To take place in Xmas break		Cllr Morton
20	New website link to be shared			Cllr Crowley
21	BACS Payments to be processed			Cllr Carrow
21	Prepare final draft budget for approval			Clerk
21	Respond to Census email			Clerk

Chairman Signature: .....Date: .....

## Appendix 1

### NP and planning for BPC

#### Neighbourhood Plan update.

B&DBC have provisionally confirmed that the referendum for the NP can take place on 6 May next year. There is much to do before then; the finishing touches need to be put to the referendum version (principally new maps drawn) and then notification and advertising will be sent out beforehand. This is welcome news however.

#### Falcon Development appeal for 35 houses on Harts Lane

The virtual hearing took place on 3 Dec and lasted a full day. It allowed both sides to discuss areas of contention and agree of areas of common interest. As in all such matters there was an element of bluff and bluster by the appellant, but the virtual meeting was sympathetically chaired by the Planning Inspector and allowed both sides to expand or reinforce positions already submitted in writing. On our part, we stressed the work we had undertaken to meet the targets set in the local plan, our adherence to the ‘plan-led’ planning system and the risk this proposal posed to the success of the NP at referendum. The appellant noted repeatedly that the housing crisis meant that housing numbers, together with the implications of the loss of the Council’s loss of 5 year land supply, meant that the ‘presumption in favour of sustainable development’ should prevail.

I cannot call the outcome, but remain concerned that the LPA was not as supportive as might have been expected, in particular over the issue of prematurity paras at 49 & 50 of the NPPF despite their legal duty to have regard to a post-examination neighbourhood plan under section 70 of the Town and Country Planning Act. I have since seen the Statement of Common Ground (SoCG) agreed between the LPA and the appellant. Unsurprisingly, they draw on the Oxleas appeal findings, but we should not infer too much from that as the context is substantially different.

More worrying is the lack of mention of prematurity, which was included as an advisory in the reason for refusal by the LPA<sup>1</sup>. Indeed, the appellant stated the following in his supplementary note, received the day before the Hearing:

***3.4 Unlike the stance adopted by the Parish Council in their submissions for this appeal, it forms no part of the Council’s case (SoCG refers) that paragraphs 49 or 50 of the NPPF are engaged. For the avoidance of doubt, and as expanded upon below, this is also the position held by the Appellant.***

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<sup>1</sup> Para 3. The applicant is advised that the proposed development is not on a site identified in the emerging Burghclere Parish Neighbourhood Plan to meet the growth requirements for this settlement in Policy SS5. Whilst at the date of this decision the Neighbourhood Plan is not so advanced through its process that permission could be withheld on this basis, the position is likely to change by the time a decision is reached on any appeal against the decision. Assuming that this position on site allocation does not change, at the stage at which the Burghclere Parish Neighbourhood Plan has completed the Local Authority publicity period, the impact of the development in undermining the plan making process by predetermining decisions about the scale, location or phasing of new development would likely make the proposal contrary to paragraphs 49 and 50 of the NPPF.

In a narrow view this is accurate and, being advantageous to the appellant, is exactly what they wanted. But this left us at a serious disadvantage, notwithstanding that I had flagged this up in an email to the planning officer concerned on 18 Nov, without response. It was therefore left to me, rather than the Council, to press this argument. In the eyes of the Inspector this may have inferred that the Council attached little or no importance to the prematurity argument and consequently minded to give this argument less 'weight'. We don't know for sure but it certainly did not give this argument the prominence it deserves, despite the duty on the Council to do so.

An option, if we think the decision might go against us, is to ask that the appeal is recovered for the SoS's consideration. Such a recovery in this case would have been automatic up until June 2017, but is now at the SoS's discretion. One of the recovery criteria which may apply in our case is "whether the proposal raises important or novel issues of development control, and/or legal difficulties". Given that without Covid-19 we would have had the referendum by now and that, if passed, NPPF Para 14 would have applied, we have been significantly handicapped. With 41 other NPs across the country in a similar position we are, whether we like it or not, something of a test case. There are no costs to us and the work will fall to me. If we go ahead, we might not get far. Another appeal (which was eventually successful) submitted a recovery request which was denied, although the grounds for recovery in that case were less clear. I'd welcome your thoughts on the basis that I recommend recovery is undertaken.

### **Local Plan Update**

Comments submitted on the initial consultation on the LPU have been placed on the parish council website. It's worth reminding ourselves that the LPU stage 2 site assessment methodology considers tiers 1 – 3 villages for development first.

### **Proposed development for up to 400 houses at Bishops Green**

We have been asked for our views about this proposal. Notwithstanding the loss of B&DBC's 5 year land supply the following factors should be mentioned but would I welcome others you feel relevant:

- this proposal is contrary to many extant policies in the ALP (SS1, SS3, SS4, SS6 and others).
- it is placing a significant number of houses in a small settlement area which does not have the requisite infrastructure support (schools, surgery, shops etc). See my LPU point!
- it will increase significantly traffic on local roads, in particular the A339.
- it is reinforces yet again our concern that the lack of B&DBC's 5 year land supply is resulting in developments that are not plan-led, do not conform to local policies and prompt more developers to follow suit resulting in ad hoc development on sites that have not been through any proper spatial planning process.

Chairman Signature: .....Date: .....