

MINUTES
of the EXTRAORDINARY MEETING of
FROYLE PARISH COUNCIL
held in the Village Hall, Lower Froyle,
on Tuesday 16th August 2016 at 8.00 pm

Present:

<i>Parish Council:</i> Mr. I. Deans Mr. I. Macnabb Mrs. J. Southern Mr. N. Whines	<i>Clerk:</i> Mrs P Cullen Stephenson, Clerk <i>Others: 0</i>
---	---

ITEM 1 ELECTION OF CHAIRMAN Deferred to next meeting. Mr. Deans chaired the meeting.

ITEM 2 APOLOGIES FOR ABSENCE

Dr. Roberts, Mrs. Wallis

ITEM 3 MINUTES OF THE PREVIOUS MEETING

27 16-17 It was **RESOLVED** that the Minutes of the meeting of the Parish Council held on 11th July 2016 be accepted as a true record

ITEM 4 MATTERS ARISING FROM PREVIOUS MEETINGS

9.5.16 Item 9

164 26.7.16 BDO: Annual Return complete: note re 'other income' should not be included in 'other payments'.

11.7.16 Item 3

159 24.7.16 Cornerstone Barristers: Mr. J. Findlay: Response to FPC re FP: "... surprising that the Compliance Team has previously investigated without informing [FPC] of the investigation ... evidence they did not approach it from the correct starting point... they still have the wrong test – it is not necessarily a question of one use being 'displaced' ... they have not responded to the points made previously as to their own officer's comments on the extent of the use ..."

11.7.16 Item 6

147 14.7.16 EHDC S. Jenkins: Response to FPC re 49833 - Highwood House, Well Lane, Lower Froyle:
"...using the floor space of front extensions secured by LDC 49833/006 to justify the addition floor space was set out. However, this was dismissed by the Local Planning Authority, because due to recent changes of the General Permitted Development Order, front extension were no longer permitted development ... other fall back positions where [sic] looked at, and during discussions with the agent one solution which became apparent was a trade-off of floor areas of the basement for the roof, which would ensure that no new floor area was added. The planning history showed that the basement of the dwelling had not been restricted, so could at any time be converted to allow additional accommodation, therefore, if the basement were to be conditioned to prevent its further conversion, then the conversion of the roof would not create any additional floor space over and above that which had already been permitted"
"With regard to the size of the replacement dwelling, this was granted under 39533/005, following the submission and agreement of 49833/004 – Lawful development certificate for proposed two storey extension to north east elevation – Granted 20.10.11 and 49833/006 - Lawful Development Certificate for proposed side extensions and two storey extension to north east elevation - Granted 17/01/2012, which established a realistic fall back floor area position greater than that which was permissible by policy H16. Appeal decisions have concluded that permitted development fall back positions should be a material consideration in the determination of these types of proposals, and as such, the larger floor space for the replacement dwelling was accepted".

All items had either already been reported, dealt with, pending or to be discussed below.

ITEM 5 PLANNING

5.1 Planning Applications

145 13.7.16 **20107/093 Froyle House**, Ryebidge Lane, UF, Listed building consent for removal of extension to existing building, form an opening in existing listed wall to garden, and remodel existing access road and parking courtyards Amendment. Consultation expired 27.7.16. FPC had objected:

We have previously objected to this application when originally submitted in January 2016 and we would direct you to our response on that occasion. We note that the current application has been amended but we still have significant concerns as to the harm that it would cause to the historic fabric of the walled garden.

1. FPC note that the applicant has reduced the proposed size of the opening to the section currently concealed by the 20th century extension. However, we note that the wall behind this extension is the original, and as such still constitutes harm to a significant heritage asset.

2. The applicant has suggested that this area of wall is 'infill' (ref Response to Consultations, April 16). We do not believe this to be the case.

3. The width of the opening is stated to be 2.6m. FPC believe it is far in excess of what is necessary for the maintenance of the wall and the enclosed garden. Such an opening would encourage future applications for development within the walled garden which FPC would resist as it has done in the past.

4. The Principal Conservation Officer objected to the proposal in principle, but subject to adequate justification on the need, suggested that a smaller opening of around 1.4m would be commensurate with the size of machinery required to maintain the walled garden.

5. FPC note that the proposal does not include reinstatement of other, existing openings. Should EHDC be minded to approve, we suggest that an appropriate condition be included to repair and reinstate as appropriate.

We would also reiterate some of our earlier concerns raised in our previous objection:

6. FPC regrets that the fabric of the walled garden has continued to deteriorate since it came into new ownership and the garden itself has been used for dumping waste building materials. The walled garden is a significant place and valuable heritage asset and according to the NPPF its preservation is of the first importance.

7. FPC notes that the applicant sold off the land for North Cottage which included the existing access to the walled garden and now wishes to cut a new opening in the historic wall. This appears to place the interest of the applicant above the duty to preserve and maintain the walled garden.

8. The Heritage statement accompanying the application argues that the walled garden relates to Froyle Place rather than Froyle House. FPC sees this argument as entirely speculative, is not supported by Historic England and ignores the fact that Froyle House was built over a substantial earlier building as evidenced by the existing cellars.

To conclude, we believe an opening in the wall of this size constitutes significant harm to this valuable heritage asset. We would urge you to refuse this application.

6.7.16 **20107/094 Froyle House**, Ryebidge Lane, UF Conversion of 3 apartments into 6 smaller apartments 167 27.7.16 Miss Gove: spoken to Ms Pang, case officer, for more detail, and extension to comment, Ms. Pang is also asking for more info, and will extend the time.

157 22.7.16 **56650/001 PA3Q Barn West of Gravelly Wood**, Dippenhall Road, Bentley.
28 16-17 It was **RESOLVED** to make no comment on this application.

Mr. Macnabb declared an interest in this application and did not take part in the decision:

173 2.8.16 **56875 Kiln Cottage**, Well Lane, Lower Froyle, Detached garage (HSE).
29 16-17 It was **RESOLVED** to make no comment on this application.

Mr. Macnabb declared an interest in this application and did not take part in the decision:

175 5.8.16 **22196/012 FUL Lime Quarry**, Well Lane, Lower Froyle, Replacement of the long barn for maintenance of ecological sanctuary following demolition of existing.
30 16-17 It was **RESOLVED** to make no comment on this application.

Mr. Macnabb declared an interest in this application and did not take part in the decision:

176 5.8.16 **22196/014/13 Lime Quarry**, Well Lane, Lower Froyle, Removal of condition 7 of 22196/011 - the condition should be removed with entirety, for reasons set out in covering letter (amended proposal) (CONR).

31 16-17 It was **RESOLVED** to make no comment on this application.

10.8.16 **23285/011 Bridge House**, Husseys Lane, Lower Froyle, Norway Maple (T1) - fell. Cherry (T2) - fell. Bay (T3) – fell.

32 16-17 It was **RESOLVED** to make no comment on this application.

5.2 Results of Planning Applications noted

149 14.7.16 **20107/091 Froyle Park**, Ryebidge Lane, Upper Froyle, Variation of condition 23 of 20107/061 to "Low frequency music levels shall comply with the external noise targets of 44db Leq 63hz 5 mins and 45db Leq 125hz 5 mins and 39db LAeq 5 mins overall, unless otherwise agreed in writing by the Local Planning Authority." PERMISSION

156 22.7.16 **53484/001 Jasmine Cottage**, Ryebidge Lane, Upper Froyle, Two first floor extensions to sides with external alterations [Amended plans received 06/06/16] PERMISSION

170 29.7.17 **55835 The Pilgrims**, Ryebidge Lane, UF, Fell one Sycamore in the rear garden NO OBJECTION

ITEM 6 FROYLE PARK

6.1 EHDC Yellow paper

FPC had received J Findlay response of 24 July to the EHDC 'Statement of Legal Position' (yellow paper). It was agreed that the key issues raised therein should be relayed back to EHDC as soon as possible. NW to draft letter for comment, which would also outline issues below.

6.2 Meeting with EHDC

S Jenkins and N Leach to be invited to a meeting in late Sept to discuss FPC concerns over the use of FP as a wedding venue. It was agreed that we ask them to provide information in advance, particularly their explanation of "significant evidence of substance", to prove the degree to the ancillary wedding activity at Froyle Park has overcome the permitted hotel use, to force Compliance action. **ID** to draft an agenda for the meeting.

6.3 'Substantive evidence' of D2 use

Further evidence had been and is being collated to prove use of FP as a wedding venue (D2) use as opposed to the permitted Hotel (C1) use. Liaison with residents' group is ongoing, documenting extent and nuisance caused by wedding venue. Other evidence in the public realm was being pursued.

6.4 New car park and Condition 44.

Following the permission for the new car park, it is understood that FP intend to provide a replacement parking and traffic management plan to comply with Condition 44 now that the previous plan is redundant. It was not clear how this is to be consulted and approved. This matter is critically important to the village and it was agreed that this would be added to the agenda of the meeting above (1.2).

6.5 Gid Lane exit

FPC remain concerned at the safety of the junction of A31/Gid lane. This to be added to agenda for the meeting above (2.1).

6.6 Overflow car park

The future of the previous overflow car park at the top of H&C Hill was unclear. This to be added to agenda for the meeting above (2.1).

6.7 Venue nuisance

The ongoing nuisance caused by the venue was being monitored by residents and neighbours. **Mrs Wallis** to liaise with local resident, Mr Matthews on the situation for FPC.

6.8 Linden Verge

Residents had written to Linden Homes with respect the verge to the 'Village Green' at FP, which was not as described at the planning stage. **Dr Roberts** to report on issue at next meeting.

6.9 Other matters

Several other matters were deferred for further discussion at the next meeting, including premises licence, Alton Herald and Ombudsman.

ITEM 7 REPORTS BY OFFICERS AND COUNCILLORS

182 11.8.16 Mr. Macnabb: DRAFT 03/08/16 COMMENTS ON THE ROSPA PLAY AREA SAFETY INSPECTION REPORT. Deferred to next meeting.

ITEM 8 OTHER MATTERS

141 13.7.16 HALC Section 5 of Governance and Accountability

144 13.7.16 HALC: NALC's Model Financial Regulations updated May 2016

ITEM 9 CORRESPONDENCE RECEIVED

A list of the correspondence received since the agenda for the meeting of 11.7.16 had been prepared had been enclosed with the agenda. Some matters did not require any action, and some items had already been circulated to councillors. Other matters, some of which the papers were at the meeting, were:

138 12.7.16 EHDC Alton's health service consultation

137 12.7.16 James Richards (Linden Homes) Seeding, removal of trees, fence, on verge in UF

139 12.7.16 Diana Barker, UF Response to Linden Homes re verge in UF

140 13.7.16 James Richards (Linden Homes) Landscaping done according to plan

150 16.7.16 Pensions Regulator

132 6.7.16 HALC: letter attached received by Hampshire ALC from James Wharton MP regarding the public consultation on devolution in Hampshire and the Funtley Governance Review

143 13.7.16 HALC 'The Future of Local Government in Hampshire

148 14.7.16 EHAPTC "Devolution" workshop

161 25.7.16 EHDC Press release: Councils slam Hampshire County Council's 'consultation'

162 25.7.16 EHDC Communications between EHDC and Town and Parish Councils

166 27.7.16 HALC Letter to HALC from HCC re consultation on options with implications for council services & residents

8.8.16 EHDC "Devolution" message from Cllr Ferris Cowper

It was noted that Mr. Whines and Mr. Macnabb are to attend a workshop on devolution.

ITEM 10 MATTERS RAISED BY COUNCILLORS AND OFFICERS

Mr. Whines: brambles trailing from the hedge by the recreation ground. **Mr. Macnabb** to ask Mr. Wells for a quotation.

Maintenance in general for next meeting.

ITEM 11 MATTERS RAISED BY RESIDENTS

Flag: volunteer needed. Deferred to next meeting.

ITEM 12 MATTERS FOR REPORTING IN VILLAGE MAGAZINE

Devolution.

Froyle Park.

ITEM 13 DATE OF NEXT MEETING

Ordinary PC 19th September 2016 (Monday)

The meeting closed at 10.00 pm.