

## **PLANNING ENFORCEMENT SUB-COMMITTEE**

**Date and Time:** Monday 17 October 2022 at 10.00 am

**Place:** Council Chamber

**Present:**

Blewett, Makepeace-Browne, Oliver and Southern (Chairman)

**In attendance:**

Mr Nicholas Silvester

Ms Kate Little, Crest Nicholson

**Officers:**

Mark Jaggard, Executive Director Place

Stephanie Baker, Development Management & Building Control Manager

Maxine Lewis, Planning Team Leader

Sharon Whittaker, Enforcement Officer

Craig Harman, Planning Assistant

Tola Otudeko, Principal Lawyer

Jenny Murton, Committee Services Officer

Claire Lord, Committee Services Officer

### **1 ELECTION OF CHAIRMAN**

Councillor Southern was elected as Chairman.

### **2 ELECTION OF VICE CHAIRMAN**

Councillor Oliver was elected Vice-Chairman.

### **3 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 1 July 2019 were confirmed and signed as a correct record. Councillors Oliver and Makepeace-Browne highlighted that they did not attend the meeting.

### **4 APOLOGIES FOR ABSENCE**

None.

### **5 DECLARATIONS OF INTEREST**

None.

### **6 CHAIRMAN'S ANNOUNCEMENTS**

None.

## **7 REVIEW OF PLANNING ENFORCEMENT INVESTIGATIONS IN RELATION TO DEVELOPMENT AT HAWLEY PARK FARM, HAWLEY ROAD, BLACKWATER, CAMBERLEY**

The Planning Team Leader summarised the report and said that it was to explain the enforcement investigations undertaken in relation to development at Hawley Park Farm.

The meeting was being held due to the large volume of complaints received and reference was made to the 15 issues in section 4.3 of the agenda report.

It was confirmed that the objections received were from long-standing residents living in Rushmoor, as opposed to new occupiers of the development.

The Planning Team Leader highlighted that the recent complaints were primarily related to:

- The breach of working hours;
- Tree protection issues that are currently ongoing.

Members asked whether there had been complaints from other residents of Fernhurst Road. The Planning Team Leader confirmed that there had been reports from several residents.

Members felt it would be helpful for Officers to outline why issues such as this come to a public meeting of Planning Enforcement Sub-Committee. The Planning Team Leader confirmed that the matter was being brought to a public meeting due to the volume of concerns and complaints which had been received by the Council, to set out the matters and differences.

Members asked if the Planning Team Leader could clarify what work had been undertaken by the Enforcement Team to date. The Planning Team Leader confirmed that a Breach of Condition Notice and Temporary Stop Notice had been served last year.

A public speaker, Mr Silvester, addressed the Committee and made reference to concerns raised to the Council previously in addition to correspondence sent to the Council. This correspondence was stated to set out the speaker's concerns with the Officer's report within the Committee agenda, including areas which he felt were incomplete or inaccurate such as references to the NPPF and lack of documenting each issue which had occurred.

Members discussed the points raised by Mr Silvester, including works carried out over the 2022 Jubilee weekend.

Members also discussed with officers the potential feasibility of updating the report with more specific detail that the speaker had requested. Members considered that they would not want a report which included over two years of history as it would be unwieldy.

A second speaker on behalf of the developer, Ms Little of Crest Nicholson, addressed the Committee and thanked residents for their patience during construction works. She acknowledged that it would likely be no-one's preference to live adjacent to a construction site and that the developer had taken steps to address complaints they had received, including working with Hart District Council and Hampshire County Council.

Ms Little highlighted that a new management team had recently been introduced to the site to minimise disruption and it is working very closely with its subcontractors.

Members questioned:

- Crest Nicholson's commitment to compliance with planning permission conditions in the future, given previous breaches in the past.
- How would working hours conditions be policed in future and how will the new management team ensure these conditions are met and not ignored and breached in the future.
- The length of the development's construction phase.

Ms Little confirmed that Crest Nicholson was committed to complying with conditions in future and that this would be ensured by a new reporting structure and working relationship of a new team, liaising with the District Council and County Council where needed. Ms Little confirmed that the anticipated remaining construction phase would last at least another year.

Mr Silvester stated that he had received no feedback from the relevant County Councillor regarding Fernhill Lane and the Development Management & Building Control Manager confirmed that Fernhill Lane is outside of the District Boundary and outside of the planning application red line. As such, issues on Fernhill Lane are not within the Hart District Council remit.

It was agreed that the planning team could provide Crest Nicholson's contact details to Mr Silvester.

Members of the Committee requested that records of the contractors signing in and out processes and attendance sheets be shared with the planning team, and Ms Little agreed to provide this information as it is already recorded for Health & Safety purposes.

Members summarised that the official site visit undertaken by Councillors Makepeace-Browne and Blewett on Thursday 13 October was very useful; they had noticed there were gaps in some fencing and the SANG. Councillor Oliver confirmed he had undertaken his own site visit over the weekend and had spoken to residents whilst there.

Mr Silvester raised his concerns regarding boundary fencing.

The Enforcement Team Leader confirmed that there are two different types of fencing at this site, post and rail and close boarding. She confirmed that some of the fencing installed is permitted development and the team will seek to monitor this issue when and where appropriate.

The Development Management & Building Control Manager reiterated that Mr Silvester had been provided with a single point of contact with the Council, the Planning Team Leader. This is to avoid the scenario where information has not been seen by the Enforcement team.

The Chairman asked Mr Silvester to re-send any questions he had to the Planning Team Leader as she is his designated point of contact.

## **DECISION**

The Planning (Enforcement) Sub-Committee unanimously endorsed the contents of the report and noted the information.

The meeting closed at 10.38 am