

## **PLANNING ENFORCEMENT SUB-COMMITTEE**

**Date and Time:** Monday 26 June 2023 at 10.00 am

**Place:** Council Chamber

**Present:**

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

**In attendance:**

**Officers:**

Mark Jaggard	Executive Director - Place
Victoria Goldberg	Development Management Team Leader
Katherine Fitzherbert-Green	Development Management Team Leader
Sylvia O'Connor	Enforcement Officer
Ann Greaves	Legal Services Manager
Sharon Black	Committee Services Officer
Emma Evans	Committee Services Officer

The Executive Director - Place opened the meeting and welcomed the members of the public in the Council Chamber. He read out the fire evacuation procedures.

The meeting was temporarily adjourned to allow a third member of the Sub-Committee to arrive to ensure that the number for quoracy was achieved. The meeting recommenced at 10.10am.

### **1 ELECTION OF CHAIRMAN FOR 2023/24**

Cllr Southern was elected as Chair of the Planning Enforcement Sub-Committee for 2023/24.

Proposed by: Cllr Kennett; Seconded by: Cllr Makepeace-Browne

### **2 ELECTION OF VICE-CHAIRMAN FOR 2023/24**

Cllr Makepeace-Browne was elected as Vice-Chair of the Planning Enforcement Sub-Committee for 2023/24.

Proposed by: Cllr Southern; Seconded by: Cllr Kennett

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

The minutes of the Planning Enforcement Sub-Committee meeting held on 30 January 2023, were agreed as a correct record and were signed by the Chairman.

Proposed by: Cllr Southern; Seconded by: Cllr Makepeace-Browne

#### **4 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Oliver.

#### **5 DECLARATIONS OF INTEREST**

There were none.

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

The Chairman had no announcements.

The Executive Director – Place introduced Katherine Fitzherbert-Green and Victoria Goldberg who were both Development Management Team Leaders. Katherine Fitzherbert-Green would be the interim Development Management and Building Control Manager while Ms Baker was on maternity leave.

#### **7 CASTLE BRIDGE COTTAGES, HOOK ROAD, NORTH WARNBOROUGH, HOOK**

Members of the Sub-Committee were given background information on the terrace of 12 listed cottages. These cottages were within the North Warnborough conservation area, and reference was made to the new Odiham and North Warnborough conservation area appraisal which was adopted in November 2022.

It was noted that allegations had been made against 11 of the 12 cottages. All allegations had been made by the same person.

Members noted information relating to the 11 individual allegations as follows:

##### No 1

Allegations related to fencing and an oil tank. Officers had found that one fence panel had been recently replaced and needed a slight reduction in height and staining to match the existing. The oil tank was old and rusting and had been there some time, as such the development was immune from enforcement action. No further action was proposed.

##### No 2

Allegations related to fencing and a shed in the rear garden. No further action was proposed as both appeared to have been in situ for more than 4 years and were immune from enforcement action.

However, it had been noticed that there were two uPVC windows on the ground floor, and it was being recommended that the current owner be served notice to

replace these, but with a longer than average time for compliance with the requirements of the notice.

Members heard from the owner (name withheld).

Members discussed:

- The impact on breathability of the building with uPVC windows in place
- If no action was taken, whether this would set a precedent
- How long it was believed the uPVC windows had been in place (estimated to be around 20 years)
- The difficulty of the situation for the current property owner
- Whether it would be possible to delay any notice being served so that replacement only needed to happen upon sale of the property

Members of the Sub-Committee felt that it would be most appropriate, under the owner's current circumstances and given the length of time that the uPVC windows had been in place, to put forward and agree an alternative recommendation.

Members agreed that in time it was appropriate for the uPVC windows to be replaced with windows of an appropriate manufacture in keeping with the Grade 2 listed status of the building. Members considered this should be prior to the time of sale of the property or on need to replace the windows in question, whichever came first. The cost of the replacement of the window frames to be borne by the current owner.

It was noted that there needed to be a charge on the land to ensure this was clear. It was also discussed there needed to be precise timeframe for the works, and it was recognised that Members felt this should be a long period.

It was noted this could be via an enforcement notice, or by a S106 legal agreement.

## **DECISION**

Recommendation was proposed by the Chairman and seconded by Cllr Makepeace-Browne.

**Officers to be tasked with communicating with the owner and legal services to find the best way forward to ensure the above was met.**

**It was agreed this would be in liaison with Cllr Kennet.**

The Planning Enforcement Sub Committee approved the recommendation as follows:

For: Southern; Makepeace-Browne; Kennett

Against: Blewett

### No 3

Allegations related to the erection of fencing and an outbuilding. It was noted that as both the fence and the summerhouse had been there for more than four years, they were immune from enforcement action. No further action was proposed.

### No 4

Allegations related to the fence between numbers 4 and 5 and also an outbuilding in the back garden. It was noted that as both the fence and the shed had been there for more than four years, they were immune from enforcement action. No further action was proposed.

Speaker: Mr Jacobs

### No 5

Allegations related to the erection of fencing and a brick shed. It was noted that the brick shed was an extension to the house with correct planning permission. No further action was proposed.

### No 6

Allegations related to the erection of fencing and a glazed extension. It was noted that the glazed extension was on No 7 and had planning permission.

It was noted that the fence had been there for more than four years and as immune from enforcement action. No further action was proposed.

### Nos 7 – 12

The Committee considered the alleged breaches. In all cases the Officers report concluded that no action was proposed.

Speaker for No 7: Ms Beard

In conclusion, Sub-Committee members were happy to unanimously endorse the recommendations above for cottages 1 and 3-12.

## **8 UPDATE ON PLANNING ENFORCEMENT LIVE CASES**

The Development Management Team Leader gave a verbal update on the following notable cases:

- West Minley Farm: condition of listed barn
- Hawley Park Farm

- Land South of Beechcroft – Hares Farm, South Warnborough (Alleged Breach of Planning Control)
- Land at Five Acres, Broad Oak, Odiham
- Paynes Cottage, Potbridge
- Chapel Bungalow/Potbridge Scrapyard
- Land North of Winchfield Court, Winchfield
- Bulls Yard Farm, Hartford Bridge, Hartley Wintney
- Big Meadow, Wingate Lane, Long Sutton (Section S106 Financial Contribution)
- Hatchwood Place, Odiham

The Development Management Team Leader highlighted that the team is currently reviewing the Planning Local Enforcement Plan. This reflects a commitment in the Council's 2023/24 Service Plan. Members of the Planning Enforcement Sub Committee will be consulted at the appropriate stage, probably after the Summer.

The meeting closed at 11.45 am

Signed .....

Date .....