Tom Patchell
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CUSTOMER SERVICE EXCELLENCE UK

The Government Standard

From: Tony Huggett [mailto:[redacted]
Sent: 03 December 2012 08:17
To: Darren Sedman-Hobson
Cc: neilmarch@winchester.gov.uk
Subject: RE: ufm2

Dear Mr Hobson

Thank you sincerely for letting us have your response to my latest letter so quickly.

There are two things which worry me about what you say.

The first is your assertion that the digging of the trench was not "commensurate to what is required for the planning permission". If it was not ,what was it? Implementing planning permissions must start somewhere, and the trench you have seen dug here is clearly in the right place, and the right form to contain the foundations of the approved extension.

But, because of the condition precedent, this is clearly not the sole issue. No-one is disputing the fact that the work done has been in breach of this condition and no-one is arguing the circumstances of the *Whiteley* case apply here. The purpose of my letter was to ensure that the issue was properly put in the context of planning enforcement, and to see where your Authority stood on this in relation to the circumstances we have here.

Your letter suggests that the key to this is "until the required details have been submitted". This is precisely the point. It is only the absence of an approval of the exact detail of the external building materials which is at issue, and this can easily be remedied. It does not need a new planning permission.

Michael Field has a straight decision to make. Does he build out the already approved extension, having first got your Council's approval of the materials of course, uncertain that you might still commence enforcement proceedings, or does he bear the costs, delay and uncertainty of making a new planning application?

It is not irrelevant that enforcement action is a discretionary power. Once the materials are approved, would you really believe that it would be wrong for your Council to allow this extension to be built? It is not as though anything has changed since 2008 to make this extension any less acceptable.

Thank you for the advice you have given so far, but it really would help for Mr Field to know how likely it would be for the Council to take enforcement action, particularly as he clearly had no idea of the implications of leaving the condition undischarged at leastuntil he was ready to order the materials he would be using.

I look forward to hearing from you again soon.

Yours sincerely

Tony Huggett

Subject: ufm2
Date: Fri, 30 Nov 2012 12:11:51 +0000
From: dhobson@winchester.gov.uk
To: [redacted]
CC:
Please see attached letter.

Appendix 4; Officer photos taken during site visit 12th April 2012 showing no commencement

12/00032/MIXED
12/04/2012 DSH

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