

8 December 2021



Our ref MJ/saw

Mr G Chisnall (Chair) and Mr G Leach (Councillor for Planning)  
Dogmersfield Parish Council

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Dear Parish Councillors

**Re: Issues concerning planning consultations**

I refer to Martin Whittaker's email of 22<sup>nd</sup> November 2021 and confirm that the Head of Place Service (Mark Jaggard) has passed this to me for response as a complaint under Step 1 of the Council's adopted Compliments, Comments and Complaints Procedure, a copy of which can be accessed here:

[https://www.hart.gov.uk/sites/default/files/4\\_The\\_Council/Policies\\_and\\_published\\_documents/Corporate\\_policies/Complaints%20Procedure.pdf](https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Corporate_policies/Complaints%20Procedure.pdf)

I sincerely apologise for the slight delay in responding whilst we prioritise our current resources. The letter attached to the email of 22<sup>nd</sup> November outlines that you are concerned regarding the reduction in the consultation period to Parishes from 28 to 21 days on planning applications, concerns with instances where the Parish has not been consulted and tree works consultations.

Time Period for Consultation

I will briefly provide a short context to the decision to reduce the consultation period. In 2019 the Council invited Planning Officers Society Enterprises (POSe) to look at the Development Management service. As part of this, there were various workshops including at least one with a selection of Hart's Town and Parish Councils.

Coming out of that review POSe produced a report with a number of recommendations for improvement. One of the recommendations was to reduce the consultation period from 28 to 21 days. I am aware that the Portfolio Holder was in a workshop with Parish Councils when this was discussed.

Having received the POSe report, this, and the Council's Development Management (DM) action plan was considered by the working group of the Council's Overview & Scrutiny Committee and Cabinet itself. At each stage this action was supported.

In September 2021 Cabinet considered a report on an update to the Statement of Community Involvement (SCI) which amongst other matters included this amendment to the consultation period. Cabinet approved the new SCI at that meeting: This is accessible on our website at the following link : [Statement of Community Involvement adopted 2 September 2021.pdf \(hart.gov.uk\)](#) All the papers for that Cabinet meeting are also on the Council's website.

I would highlight that 21-day consultation period is the period set out in the national regulations. If there are certain applications where this would cause the Parish Council a difficulty, I would always recommend contacting the individual Case Officer for that application, and they are normally able to accommodate an extension for comments.

### Consultation on applications

I am concerned to hear that there have been instances where you do not feel you have been adequately consulted. On the 20/02945/FUL example provided, I note that Dogmersfield Parish Council were consulted on the application at the initial stage.

Clarification was sought by the Case Officer on the proposal from the agent following an initial assessment which included the receipt of the objection lodged by Dogmersfield Parish Council. The revised plans clarified that the access was not intended to be an additional or secondary access, rather it was a replacement of the existing access point from the lane. Hampshire County Council, as Local Highway Authority, were re-consulted on 16 March 2021 and confirmed by their response on 6 April 2021 that subject to provision of visibility splays and the set back of gates, their previous concerns (as expressed in their response of 18 February 2021) had been addressed.

On the basis of their response to re-consultation, the Case Officer resolved to accept the amended plans and proceed to determine the application. In this case, the key concern that had been expressed by Dogmersfield Parish Council, whether there was a need for a secondary access and highway safety, was addressed. The revisions clarified matters and a re-consultation by the Case Officer was not required.

For the 21/027872/OUT example provided, it appears that we had over-consulted on a previous application on this site and it was not a requirement to consult on this individual application. However, once you requested a consultation from us, we issued one. I can assure you that our validation team work closely with the Planning Team Leaders to ensure they are consulting where necessary. In most cases, complaints raised to us relate to us over-consulting on a precautionary basis.

### Tree works

The statutory requirement for publicity on tree works applications is to enter the details on our statutory register. I can find no record of us routinely consulting on tree works applications in the past 10 years and I have checked this with the Council's Landscape Manager, whom Tree Officers report into. There is also no requirement within Part 8 of The Town and Country Planning Act 1990 (as amended) for us to do so.

I hope that the above response fully addresses your concerns however if you remain dissatisfied you can request that your complaint be referred to Step 2 of the Council's Complaints Procedure. To escalate your complaint to Step 2, please email: [chiefexecutive@hart.gov.uk](mailto:chiefexecutive@hart.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read 'SBaker', written in a cursive style.

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