



From: Juan Baeza <Juan.Baeza@arun.gov.uk>

Sent: 18 December 2019 13:46

To: 

Cc: Anita Gardner <Anita.Gardner@arun.gov.uk>; Sue Bowley <Sue.Bowley@arun.gov.uk>; Carolyn Nysingh <Carolyn.Nysingh@arun.gov.uk>

Subject: RE: Service Complaint - Mr Timothy Kerss, 3 Silver Birch Drive, MOS re PA M/80/19/PL - DEADLINE - 18 DECEMBER 2019

Dear Mr Kerss,

Thank you for your communication with the Council dated 1st December concerning the current application at the former Poultry Farm. As I understand it your concerns can be summarised as follows:

- Representations, in support of the proposal, have been uploaded into the system after the deadline for submitting comments where they contain little if any information on their reason for being in support. This could be seen as the Council being biased in favour of the proposal. Objection letters have been wrongly processed.
- Lack of clarity concerning tree issues by the Council's tree officer and insufficient reference to ecological issues. As a result it would appear that the Council is not treating importantly the retention of valuable, protected trees and failing to protect the natural environment of the area.

Representations

Planning application M/80/19/PL is being dealt with in accordance with adopted procedure. It is noted that some comment slips have been published on the web site which were received after the 'no decision before date'. They can be considered before the application is determined and that is why they are published on the web site. The 'no decision before date' has been the deadline for receipt of representations when dealing with applications for at least the last 40 years and this application is being dealt with in the same way as every planning application submitted to the Authority and in accordance with adopted procedure. The only cut off point for receipt of comments is prior to determination of the application. The advertising period is referred to as the 'no decision before date' which is the date by which comments should be made to ensure they can be considered prior to determination of the application. After that date the application can be determined at any time so there is a risk that any comment made will not be taken into account prior to a decision being reached.

The guidance given on our website in relation to making comments on planning applications states 'Most types of planning applications have a 21 day public consultation period, in which members of the public and interested parties can make comments (known as representations) about the application. Comments should be received by the date stated on the site notice.'

It does not say they must be received by that date or say it is a 'cut off' date.

The method of submission of a representation and what needs to be included is not defined. They do not need to be dated and standard identical representations can be submitted akin to a petition, but will be recorded separately in the officer report. Comments from immediate neighbours referring to material planning considerations would carry more weight than those from third parties who would not be as closely affected and have little by way of supporting information.

Occasionally representations are bunched together when scanned on the web site and this is clearly stated on our guidance on the web site. The section on making comments on a planning application says 'Please be aware that more than one letter may be batched together'.

I am satisfied that the Council is acting in line with standard procedure when it comes to registering representations from the public and no differently to how it would deal with any other similar application elsewhere. Only by operating in this manner can the Council be seen to be acting impartially and in a transparent way when processing an application.

Tree/Ecological Issues

A second consultation response from the Tree Officer has recently been received and published on the website which may help to clarify his earlier comments. Discussions regarding tree cover and landscaping are ongoing with the agent and all matters raised, including those who have objected on tree/ecological grounds, will be taken into account prior to determination of this application. This will be borne out by any officer report which will be published prior to the application being determined by the Councils Development Control Committee if there was to be an officer recommendation to approve the application.

In so far as the ecology/wildlife of the site is concerned the Council's ecology officer has been consulted and her comments can be seen on the web site. In the same vain as tree issues this area will be closely looked at/assessed with any decision taken.

Please be aware that the application is still live but as someone who is recorded as making an objection you will be updated on the future course of the application.

To conclude if you have any further queries on the matter please do not hesitate to contact me.

Yours sincerely

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

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03/12/2019
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COMPLAINT FORM

Your Name:

TIMOTHY KERSS

Your Address:

3 SILVER BIRCH DRIVE

MIDDLETON-ON-SEA

BOGNOR REGIS

WEST SUSSEX

Post Code: PO22 6SE

Your Tel. No:

[REDACTED]

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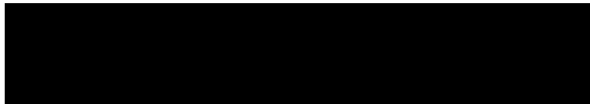
What went wrong? (please give as much detail as you can)

1. I am concerned that the proper code of conduct is not being adhered to in Arun District Council's handling of the planning application M/80/19 P2 by Frontier Estates to build a care home in Middleton-on-Sea. The deadline for comments on the application was given as 24th October 2019 however on 25th November slips with almost no information on were uploaded onto the Planning Website as individual entries. Other letters, received within the stipulated time limit were uploaded in bundles, and ~~often~~ even upside-down, making them difficult to access and read. This is an insult to those who strove to meet the deadline and put forward a considered case.
2. The latest report by the Tree Officer makes no sense. Predictions are that 95% of the UK's ash trees will perish as a result of ash die-back disease, and yet he condones the felling of a healthy specimen! Please advise on Arun District Council's stance on the preservation of the natural environment - especially regarding the protection of healthy ash trees, which are under enormous threat.

What do you think the Council should do to put things right?

1. Follow policy and procedures
2. Be transparent and unbiased
3. State the Council's environmental policy clearly, especially regarding tree preservation, building on flood plains, disturbing/destroying wildlife habitats, traffic management at known accident blackspots such as Comet Corner.
4. Arun District Council should do what is right for local residents, and not be swayed by pressures from other/outside agencies.

Signed:



Dated:

1 December 2019

A copy of this form will be logged in a central register by the Corporate Complaints Administrator. An acknowledgement will be sent within 5 working days, telling you who is dealing with your complaint.

DATA PROTECTION

The information contained in this form will be used by Arun District Council for the purposes indicated and will be further used or transferred to other organisations or individuals, only as the law permits



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Mr T Kerss
3 Silver Birch Drive
Middleton-on-Sea
Bognor Regis
West Sussex
PO22 6SE

4 December 2019

Please ask for:
Sharon Lilleywhite

Dear Mr Kerss,

Complaint regarding Planning Application M/80/19/PL

Thank you for your complaint form dated 1 December 2019, received in this office on 3 December 2019, concerning the above planning application.

Please be advised that I have passed your form to the Planning Department, with a request that the matters you have raised are investigated. You will receive either an update or a full response within 10 working days (18 December 2019).

I hope this assists.

Yours sincerely,



Sharon Lilleywhite
Information Management Team Leader/
Corporate Complaints Administrator

cc: Planning Department