



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

Sent: 03 January 2020 12:59

To: [REDACTED]

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

Subject: Complaint - Poultry Farm. Application reference M/80/19/PL

Dear Mr Alger,

Thank you for your complaint dated 9th December 2019 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.
- Lack of clarity concerning protected (T.P.O.) trees and issues raised by the Council's tree officer. You also question the impact on the T.P.O. trees from the approved access to the site.

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.

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.

Tree Issues

When a tree is subject to a preservation order it is protected in that it is an offence to carry out works to the tree or fell it without consent. We did receive a report of work to the tree in the summer which was investigated by both a Compliance Officer and the Tree Officer. It was found that no obvious harm had been inflicted on any protected tree and that only ground vegetation clearance/light pruning to abate nuisance was carried out.

The initial Tree Officer's comments were made as soon as he had the time to respond to the consultation. He is the only tree officer at Arun and is responsible for responding to every tree application submitted in the District as well as planning applications. It is not unusual for his comments to be delayed beyond the expiry of the advertising period and it would be necessary to ensure his comments were received prior to a recommendation being made on the application.

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 Council's Development Control Committee if there was to be an officer recommendation to approve the application. The application is not on the agenda for the Development Control Committee in January. To date no works/planning permissions have been granted which would affect the health of the preserved tree.

It is not clear what you are alleging concerning the 'granted access'. If you are referring to the approved application for dwellings I can confirm that it was subject to a site visit by the case officer and Members prior to determination. If you were to inspect the committee report you will see that full consideration was given to the protected trees.

If you have any further queries on the points you raise and my response above please do not hesitate to contact me.

Regards

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road,
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Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

COMPLAINT FORM

Your Name:

CHRIS ALGER

Your Address:

14 SILVER BIRCH DRIVE

MIDDLETON ON SEA

BOGNOR REGIS

WEST SUSSEX

Post Code: PO22 6ST

Your Tel. No:

[REDACTED]

e-Mail Address:

[REDACTED]

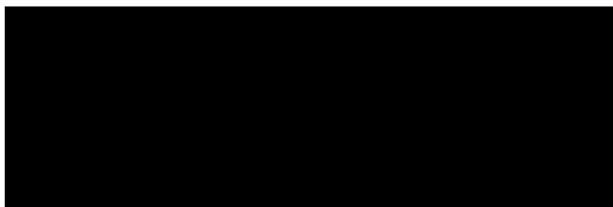
What went wrong? (please give as much detail as you can)

- Reference - TPO/M/1/15
- Planning Application M/80/19/PL
1. ADC uploading comments on the planning application after the deadline date had passed. These comments were also collected after the deadline date.
 2. When is a T.P.O a T.P.O. - Tree was cut / trimmed by someone with no planning permission
 3. ADC uploading tree report after deadline date.
 4. ADC recent tree report is a 'u' turn on previous reports + T.P.O. tree status.
 5. ADC granted access to site without a site visit or being aware of the T.P.O. trees.

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

1. Remove the late uploaded comments + provide an explanation as to how this could have happened.
2. ADC to explain how this could have happened + what steps will be taken to rectify.
3. Have the late report removed + provide an explanation as to how this happened.
4. An explanation to the 'U' turn status.
5. Remove the planning permission access + approve more suitable access.

Signed:



Dated:

9.12.19

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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e-mail: sharon.lilleywhite@arun.gov.uk

12 December 2019

Please ask for:
Sharon Lilleywhite

Mr C Alger
14 Silver Birch Drive
Middleton on Sea
Bognor Regis
West Sussex
PO22 6SJ

Dear Mr Alger,

Complaint regarding Planning Application M/80/19/PL

Thank you for your complaint form dated 9 December 2019, received in this office on the same date, 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, being 3 January 2020. Please note that this date takes account of the Council's Christmas office closure from 4.00 pm on Tuesday 24 December 2019 until 08.45 am on Thursday 2 January 2020.

I hope this assists.

Yours sincerely,



Sharon Lilleywhite
Information Management Team Leader/
Corporate Complaints Administrator

cc: Planning Department