

From: paul collins [REDACTED]

Sent: 26 January 2019 12:33

To: Karl Roberts; Neil Crowther; David Easton; Carrie O'Connor; Planning.Responses

Cc: Cllr. Dawn Hall; Cllr. Ashvin Patel; Cllr. Richard Bower; Cllr. Susan Bence; Cllr. Jim Brooks; Cllr. Colin Cates; Cllr. Pat Dillon; Cllr. Stephen Haymes; Cllr. Mike Northeast; Cllr. Barbara Oakley; Cllr. Colin Oliver-Redgate; Cllr. Jacky Pendleton; Cllr. Ann Rapnik; Cllr. Vicky Rhodes; Cllr. Elaine Stainton

Subject: P/6/17 OUT - Land North of Hook Lane Pagham

Dear Mr Roberts/Crowther

Pagham Parish Council notes that the decision notice now issued in respect of this application dated 24 January 2019 includes the following statement:

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason for refusal. Furthermore, Members of the planning committee which took the decision to refuse planning permission have been asked to consider whether there are opportunities to amend the development to address this harm. Where a potential way forward has been identified, this has been communicated to the Applicant. The Local Planning Authority is willing to provide pre- application advice in respect of any future application for a revised development.

As you are aware on 23 January 2019 the Committee voted not to accept the Officers recommendation of approval and then voted to refuse the application for the reason stated on the decision notice but did not discuss opportunities to address the harm or identify potential ways forward. Therefore that part of the above "Informative" in italics and underlined is not required by virtue of Article 35, was not discussed at the Committee on 23 January 2019 and has therefore been added by Officers on their own volition and appears to have been made without the express authority of the DCC.

Therefore please can you advise:

1. When members were asked by Officers to consider whether there are opportunities to amend the development to address this harm and where PPC may view the details of that request
2. Whether or not Members have identified a potential way forward and if so where PPC may view details of same and whether or not this has been communicated to the applicant and if so where PPC may view that communication

Furthermore in view of the Officers voluntary statement *The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development* PPC takes this opportunity to remind Officers and place on record that local planning authorities have the power to decline an application for planning permission which is similar to an application that, within the last 2 years, has been dismissed by the Secretary of State on appeal or refused following call-in. A local planning authority may also decline to determine an application for planning permission if it has refused more than one similar application within the last 2 years and there has been no appeal to the Secretary of State. In declining to determine an application, a local planning authority must be of the view that there has been no significant change in the development plan (so far as relevant to the application) and any other material considerations since the similar application was refused, or dismissed on appeal and that where a local planning authority declines to determine an application, it should notify the applicant that it has exercised its power under section 70A of the Town and Country Planning Act 1990 to decline to

determine the application and should return the application to the applicant.(NPPG Paragraph: 056 Reference ID: 14-056-20140306).

Finally given our previous e mail exchanges and for the avoidance of any doubt you may have please also take this e mail as a formal notification under Paragraph 8 of Schedule 1 to the 1990 Act (local planning authorities: distribution of functions) as replaced by Paragraph 53 of The Planning and Compensation Act 1991 that Pagham Parish Council wishes to be notified in the prescribed manner of any future Planning application made in respect of this site and any alterations made to such an application following its submission and prior to its determination.

Thanks

Paul Collins BA (Hons) DipTP MRTPI



RTPI

Chartered Town Planner