West Itchenor Parish Council

Minutes of a Meeting of the West Itchenor Parish Council Complaints Committee held on Tuesday 28 April 2015 in Itchenor Memorial Hall.

Present: Mrs J Boadle, Mr M Chater OBE, Mr C Watson (Chairman)

In attendance: Mrs C Smith (Clerk), 3 members of public

1. **Election of a Chairman**
   Having been proposed and seconded Cllr Watson was elected as Chairman for the meeting.

2. **Questions/comments from members of the public.**
   A resident clarified their position in relation to representations made advising that objections made to planning applications were made as an individual. A resident reported that they had received a letter of complaint relating to their objections to a planning application.

3. **Apologies for absence.**
   None.

4. **Declarations of Interest by Members and dispensation requests.**
   None.

5. **Complaint.**
   Details of the complaint had been previously circulated to Councillors for consideration.
   The complaint relates to content of the Planning report for the January 2015 Parish Council meeting which was published on the Parish Council website.
   The Complainant requests;
   - The Parish Council explains on what basis the Appeal result was considered to go against existing planning policy.
   - The Planning report is amended to remove reference to the Complainant's planning appeal or for this to be amended and republished.

   Copies of the complaint, an email dated 13 February 2015 and a statement dated 10 April 2015 are attached to these minutes for reference.

   Points noted by Councillors;
   - The Complaint is made against the procedures and administration of the Parish Council and is therefore not subject to the Code of Conduct which applies to Councillors as individuals.
   - The RTPI Code of Professional Conduct only applies to Members of the Royal Town Planning Institute. This does not apply to the Parish Council.
   - Reference is made to a number of planning applications made and differences in the Planning Committee responses. A review of planning applications that involve replacement dwellings since September 2011 was undertaken. Of the 20 applications reviewed, the Planning Committee had objected to 9 applications. The Harbour Conservancy had objected to 7 applications, although it had withdrawn an objection to one of these applications. Of the 20 applications, four had gone to Appeal, of these 2 Appeals had been allowed and 2 dismissed.
   - Comments relating to collusion between the Parish Council, Mr Arnold, the Itchenor Society and Mr Montyn were considered emotive and unsubstantiated. Furthermore it was noted that the Complainant had not attended any of the Planning Committee meetings or Parish Council meetings.
   - The Complainants comments relating to Mr Arnold's alleged assertions had no relevance to the Parish Council. The Parish Council cannot be held responsible or accountable for comments made by residents whatever they may claim.

- No defamatory remarks were made in the January 2015 planning report. The Complainant requested the complaint be treated as a formal complaint in accordance with the Parish Council Complaints Policy.
- The Parish Council is made up of 7 local residents who give their time voluntarily. As the members of the Planning Committee and the Parish Council has changed over the past 10 years it is understandable that the Parish Council views on planning applications would vary in accordance with planning policy and regulations during this time.
- The Planning Committee made a number of points in its objections to the applications but these centred in principle around the inclusion of the Guest Lodge which was considered contrary to the Chichester District Local Plan saved Policy H12 which states;
  "Planning permission will only be granted for the extension or 1 for 1 replacement of permanent dwelling houses in the rural area provided that proposals would not;
  (1) by itself, or together with the existing building create a dwelling which is readily capable of conversion into more than one dwelling."
- The Planning report makes reference to options available to challenge the Appeal decision. There is no recommendation to pursue any of these options and the Parish Council had no discussion on these options. The Parish Council has at no point challenged the decision of the Planning Inspector it simply expressed disappointment at the result of the appeal.
- There is a very clear distinction between the roles and responsibilities of the various Statutory Authorities;
  The District Council has paid Officers who focus solely on planning applications under delegated authority.
  The Conservancy has paid Officers who focus mainly on planning applications.
  The Parish Council is made up of volunteers who comment on applications to the best of their ability within the National Planning Policy Framework, Chichester District Council Local Plan saved Policies and the Itchenor Village Design Statement. All Planning Committee meetings are held in public where the Councillors are under the scrutiny of residents.
- The Complainant was invited on a number of occasions to attend Planning Committee meetings where their application was being discussed to address the concerns of the Parish Council and residents and chose not to attend.
- It was made clear to the Complainant that unlike the District Council the Planning Committee was unable to make any comments on a planning application outside of the forum of a public meeting.

Having reviewed all of the information provided Councillors noted that a number of the applications that had been objected to had been revised and resubmitted having addressed the concerns raised. The Complainant's application that had removed the Guest Lodge had not been objected to and had subsequently been permitted by the District Council.

RESOLVED that the Clerk should write to the Complainant outlining;

- The reasons why the Parish Council felt disappointed in the appeal decision and which planning policies it felt had been overlooked.
- The reasons why the Complaints Committee decided that no amendments to the Planning report for the January 2015 meeting were necessary.
- The right of the Parish Council to take a view on a planning application or decision and for this to be published.

There being no further business the Chairman declared the meeting closed.

Signed_____ Date_____