

**JOINT MEETING OF THE NORTH WEST AND NORTH EAST
COMMUNITY FORUMS**



Minutes of a meeting of the Community Forum held on
Thursday, 7th December 2017 at 7pm in Lodsworth Village Hall

Attendance and Apologies (in italics):

Bepton Parish Council	<i>Apologies sent: Ros Hart</i>
Bignor Parish Meeting	Arthur Thomson
Bury Parish Council	Rosemary Trent
Cocking Parish Council	
Duncton Parish Council	Peter Thomas
Easebourne Parish Council	
East Lavington Parish Council	Charles Britton <i>Apologies sent: Vivien Gosden</i>
Ebernoe Parish Council	<i>Apologies sent: Ann Tyrrell</i>
Elsted and Treyford Parish Council	Andrew Leno, Andrew Shaxson
Fernhurst Parish Council	Bill Black
Fittleworth Parish Council	Mike Allin, David Brittain
Graffham Parish Council	Sandy MacQueen
Harting Parish Council	Sheridan Bowman, Andrew Shaxson
Heyshott Parish Council	Jane Constandiros, Simon Larking
Kirdford Parish Council	
Linch Parish Meeting	
Lodsworth Parish Council	Caroline Neville , Justina Leitao, James Rees
Loxwood Parish Council	Rick Kelsey, Chris Agar
Lurgashall Parish Council	Peter Wilding
Lynchmere Parish Council	Sandie Moore <i>Apologies sent: Sylvia McCallum</i>
Midhurst Town Council	Gordon McAra <i>Apologies sent: Stephen Morley</i>
Milland Parish Council	
Northchapel Parish Council	Lynda Bell
Petworth Town Council	
Plaistow & Ifold Parish Council	Sophie Capsey
Rogate Parish Council	Elizabeth Brown
Stedham with Iping Parish Council	Adrian Hearle <i>Apologies sent: Lucy Petrie</i>
Stopham Parish Meeting	<i>Apologies sent</i>
The Common Parish of Sutton & Barlavington	
Tillington Parish Council	<i>Apologies sent</i>
Trotton with Chithurst Parish Council	Carola Brown, Keith Tregunna <i>Apologies sent: Neil Ryder</i>

West Lavington Parish Council	Mike Thomas, John Stubbington
Wisborough Green Parish Council	<i>Apologies sent</i>
Woolbeding with Redford Parish Council	Anne Reynolds, Adrian Hearle
Chichester District Council	Norma Graves, Shona Archer, Shona Turner, Tony Whitty, John Saunders <i>Apologies sent: Eileen Lintill, Nick Thomas, John Elliott, Andrew Frost</i>
South Downs National Park Authority	Nat Belderson <i>Apologies sent: Chris Paterson</i>
West Sussex County Council	<i>Apologies sent: Kate O'Kelly, David Bradford</i>

1. Introduction by the Chairman

Andrew Shaxson opened the meeting, welcomed everyone and thanked Lodsworth Parish Council for hosting the meeting.

2. Apologies – as above

Minutes of the last meeting, 6th September 2017 were approved with no matters arising.

3. Planning application decision making

Tony Whitty, Development Management Service Manager

Chichester District Council

Tel: 01243 534875 | twhitty@chichester.gov.uk

(A copy of the powerpoint presentation is available on CDC website

<http://www.chichester.gov.uk/northwestforum>)

Tony gave an overview of the Development Management Service at CDC and explained how decisions are made. They are either a Committee decision or a delegated decision; however, nobody can make a decision on their own, Officers make recommendations which are then considered further by Senior Officers. He described The Planning Committee; what 'Red Card' means and that any CDC Member is able to 'Red Card' an application.

The Parish Councils are statutory consultees as they represent local views, can raise concerns, have local knowledge. They can inform debate and add value to the application process. Ideally, comments should be relevant and appropriate.

Tony then explained the decision making process starting with the Local Plan, through material considerations to planning conditions and when they can be imposed. He talked through the structure of reasons for refusal, types of appeals and appeal decisions along with examples of awards of costs.

John Saunders, Development Manager (National Park)

Chichester District Council

Tel: 01243 534574 | jsaunders@chichester.gov.uk

(A copy of the powerpoint presentation is available on CDC website

<http://www.chichester.gov.uk/northwestforum>)

John began his presentation by giving a brief background on the working relationship with the SDNPA and that the SDNPA delegated the decision making process back to CDC. He explained the framework for making planning decisions and the Officers in his Team.

Questions raised:

- Q. When a Parish Council has rejected a 'FULL' planning application which is then subsequently approved and the Parish Council does not know, it leaves them feeling slighted and frustrated. In addition, they have been told by Andrew Frost that it is not possible for the Planning Officers to pro-actively communicate with the Parish Council where an objection is received and permission is recommended, it is for the Parish Council to make contact with the Planning Officer. The Parish Council find this situation frustrating as there is no feedback

or further information from CDC about the application and its decision.

- A. If the planning application is a FULL application and there is a Parish objection to it, the application should go to Committee. If an objection comes from a Parish Council and the application is then subsequently amended in an attempt to overcome that objection, the Planning Officer should go back and consult with the Parish Council before proceeding to Committee.

With a householder application, there is no automatic referral to Planning Committee if the Parish object. Due to the number of applications received, Officers are unable to commit to making contact with the Parish Council prior to granting permission, however, Officers will respond to requests to talk through the issues in relation to the applications at the request of a Parish Council. In the case of all planning applications, the delegated committee or officer report is published online which will contain the reasoning behind any decision.

If the Parish Council is particularly concerned about a planning application, they should contact the Case Officer at the time that they make their objection (or earlier). If communication with Case Officers is proving difficult, please let Tony know.

- Q. How do you find out who the case officer is? It is difficult to contact CDC.

- A. The Weekly Planning list has the Case Officer's name. The District Councillors should 'link' between CDC and Parish Councils. Can circulate emails of the team. Officers should be able to deal with cases/queries.

- Q. How can you red card a planning application prior to the decision being made?

- A. Parish Clerks and Councillors can communicate with the Case Officer to find out where the decision is going. You can ask a CDC Councillor to act on behalf of a Parish Council and **ANY** CDC Councillor can red card a planning application.

- Q. There is poor communication, how can we find out about pre applications?

- A. CDC does not notify Parish Councils or the public in relation to pre applications. CDC also has an Idox system which enables people to sign up for alerts for other types of applications; this is also possible with SDNPA.

- Q. We are a split parish and have received conflicting information from SDNPA and CDC on the same application. We have taken advice from SDNPA Officer, however, the CDC Officer has taken the decision, giving different weight to the application. There should be consistency.

- A. This is unfortunate and should not happen. CDC works closely with SDNPA, John and Nat Belderson meet weekly.

- Q. When CDC consults with others, the Parish Councils are not aware of any of this information, who is consulted, when reports are received or what advice is received from others. The Parish Council is not aware of this until it is on the website, or may have received a notification from the Parish Clerk. Further information can inform your view.

- A. The consultation taken is in order to inform planning decision taken by CDC not to further inform Parish Councils in making their comments on an application. CDC is the local planning authority and consults in a timely fashion. You can make a decision on the information already provided by the applicant or seek further information yourselves.

- Q. What material consideration is given on an agricultural building?

- A. For example; SDNPA – for major agricultural development the main impact is likely to be on landscape
- assessment of agricultural need
 - landscape impact of the proposal
 - impact on neighbouring residential properties
 - (if visible outside of the SDNP or near the boundary), we will seek comments from neighbouring authorities
 - lighting
 - traffic movement

Andrew summed up general concerns coming out of the questions.

Communications need to be improved but how can this be done? There has been no general training for Parishes recently. Some training would implement policies. Who gives guidance to Parish Councils, so that the Parish Councils can give information to CDC/SDNPA? Training is required, is it ever considered? Landscape-lead plans are quite different to development-lead plans. Nat Belderson in response said he was happy to come and speak at a Forum meeting and in relation to the SDNPA Local Plan.

4. Planning Enforcement process and communication

Shona Archer Enforcement Manager (CDC)

Planning Enforcement, Chichester District Council

Tel: 01243 534547 | sarcher@chichester.gov.uk

(A copy of the powerpoint presentation is available on CDC website

<http://www.chichester.gov.uk/northwestforum>)

Shona introduced herself to the meeting and began her presentation by explaining that planning enforcement is the investigation of breaches of planning control and their resolution. Shona describe how her Team work with the Parish Councils; how Parish Councils can help and what information is available to Parish Councils.

In addition, CDC and SDNPA have adopted an Enforcement Strategy/Guide and now complaints can now be made online. Shona also explained how cases are prioritised and the enforcement 'tool box' – the enforcement powers that they can use.

Shona then took the Forums through 'things to note'. Some people are unaware that they have done anything wrong. In some cases, no formal action is taken and retrospective planning is applied for. Enforcement are currently dealing with 442 cases, with 621 received last year and have issued 59 formal notices.

Planning Enforcement is a process which can be delayed if persons are unwilling to participate in it at any stage.

Shona finished her presentation by showing which Officer is responsible for areas of the District based on parish groups.

Questions raised:

- Q. Statistics, 59 enforcement notices, is 10% typical with 90% not followed through?
- A. Those not followed through could be because there has been no breach, a resolution has been reached i.e. through planning permissions being granted; voluntary compliance or because the cases remain ongoing.

- Q. There have been issues with a listed building, where an unpermitted business is being run. The business is advertised on a website, there are vehicles comes and going. The Parish Council have given CDC information about this but have not received a response.
- A. If Enforcement were going to act, you would have heard from them by now. (This issue was discussed further outside of the meeting).

- Q. We placed a comment online but there has been no response; we do not know where we are in the process or what stage the application has reached. It would be better if we could track information, we do not know who to contact which makes the whole process frustrating.
- A. The Enforcement Team could do better in its communications throughout the enforcement process but there is no proposal to provide more information. We are currently working with the Park Authority on the use of management reports, ran from its database, to identify older (Lazy) cases; the team will then decide any actions needed to 'refresh' the case and then update complainants.

- Q. Why are fees/charges not placed upon the person who is in breach to help resource the service?
- A. There is no fee regime for planning enforcement within the fee regulations set by Central

Government. Planning enforcement is a discretionary service and so we are lucky that SDNPA/CDC value enforcement and resource a team. There is scope for some limited charging to check records and carry out compliance checks but the opportunities for this are limited and so would not generate very much money.

Q. What can you do if someone commits an offence and will not do anything?

A. If the person does not co-operate they could be fined, go to court or a jail sentence. We go through the process and keep going; ultimately in some cases we could take possession of the property. Recently, within the Park area (West Ashling) works have been undertaken on behalf of the LPA because the owner did not carry them out as required, costs were incurred by the LPA but these can be recovered.

Andrew summed-up general concerns coming out of the questions.

There is an identified need for improvements and communication is as important as the process. The Parish Councils want to work closer with CDC/SDNPA. With the imminent new data protection rules regarding the information we gather, it is an opportunity to reassess and improve communication. Providing an update on the planning committee agenda every 3 months is insufficient.

Shona (Archer) reminded the meeting that Officers have to respond to all communications.

(I have included a link to the Enforcement page on CDC's website.

<http://www.chichester.gov.uk/planningenforcement>. This has a link to the Enforcement complaint form, the Enforcement Strategy, Enforcement and stop notices etc and contact details)

5. Any other Business

Trotton with Chithurst – referred everyone to the consultation currently being undertaken by WSCC, 'Consultation on School Admission Arrangements for 2019/2020'. *(As this has a closing date of the 15th January 2018, this item has already been circulated to the Forum members.)*

Mike Allin, Fittleworth Parish Council – They have been invited to training at the Fire Station on how to use cutting equipment and clean signs. PPE to be issued. He believes this is a step too far. Andrew suggested that this matter be referred to the WSCC North Chichester CLC Committee, possibly Health and Safety.

Gordon McAra, Midhurst – Ambulance call out times have been deteriorating. There is evidence that ambulances are not available on stand-by; he quoted a case of somebody waiting 50 minutes. Police have had to give first aid. First response is possible but due to travelling, the delays are too long. It was suggested that someone from the Ambulance Service could attend a Forum meeting and talk about call out rates and the service.

Andrew invited people to submit topics for discussion to Shona (Turner)

Farnborough – as people continued to notice more aircraft noise, Farnborough should be asked for an update.

Would people still like feedback on the community housing land trusts?

Adrian Hearle raised the issue of communications – mobiles and broadband. There is still a lack of information and although technology has moved on, still some areas have no signal. This is a Parish and strategic issue and more clarity is required from WSCC.

The meeting drew to a close at 9pm, with Andrew thanking the Officers for their presentations, the Forums for their attendance and Lodsworth Village Hall for hosting the meeting.

Next meeting – yet to be decided.