

CORRESPONDENCE FILE 2

Ordinary Meeting

2nd May 2017

ATC Clerk

From: [redacted]
Sent: 26 April 2017 15:58
To: [redacted]; Ceri Thomas; ATC Clerk
Cc: Complaints Conwy Cwynion
Subject: RE: Official complaint 0/42148

Afternoon,

Thanks for your email, in response to your question I can advise that a majority of your concerns have already been considered through the planning application process and by Planning Committee who resolved to approve the application. The Local Planning Authority cannot withhold making a decision because residents are unhappy with the outcome, whilst I appreciate that you are unhappy with the response from Highways, I do not believe that there are any technical matters that have come to light to lead me to believe that there has been an error in the decision making process.

It is also worth noting that we cannot determine an application contrary to the decision of Planning committee and any change in circumstance would need Planning Committee approval and as indicated in my email below of 16th November the only recourse would be for the decision to be overturned on technical grounds through the judicial review process, it would also be seen as unreasonable behaviour to withhold making a decision without reasonable grounds.

Whilst your complaint will be considered as part of the Stage 2 process the complaint process would not be able to overturn the decision that has already been made.

regards

Paula

From: Paula Jones <Paula.Jones@conwy.gov.uk>
Sent: 16 November 2016 16:54
To: [redacted]; Ceri Thomas; Cllr Tim Rowlands; Millar, Darren Aelod Cynulliad | Assembly Member; ATC Clerk; jude.l@btinternet.com
Subject: RE: formal complaint/appeal against 0/42148

Afternoon

I refer to your email, if you do wish to make a formal complaint please can you set out your full reasons for making the complaint. Once this is received I can then register the complaint as a Stage 1 complaint. I have provided a copy of the link to our Corporate Complaints Service for your information about the complaints process <http://www.conwy.gov.uk/doc.asp?cat=7009&doc=27581&Language=1>

As an update, although members have resolved to approve the application a decision hasn't formally been issued as a legal agreement needs to be prepared and signed before the decision is made. There is no third party right to appeal a decision and the only mechanism would be to lodge an application through the courts for a judicial review but this would relate only to any perceived technical flaws with the application.

regards

Paula

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