

## RESPONSE TO THE DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

Dear Future Merton,

Thank you for the opportunity to comment on the Draft Statement of Community Involvement. I have been heavily involved in planning issues as a resident keen to ensure the borough produces the best possible developments for the people and the towns they are supposed to serve. For the past three years, I have attended almost every Planning and Community (PAC) meeting, DRP if open to the public, endless Council meetings including Cabinet, and continue to engage with groups in and outside the borough keen on better planning.

This interest and commitment has arisen as a result of consistent failings within Merton Council's planning department to engage, inform and follow up with the local community. The Council operates on a bare minimum basis and even falls on that front, causing huge frustration to those already engaged in the process and discouraging those who may want to become engaged but keep banging on a door that doesn't open.

Accordingly, in response to the Draft Statement of Community Involvement, following are my observations on issues that need to be remedied in order to ensure this SCI is a working and effective document, rather than a box-ticking exercise.

Whilst the Draft Statement of Community Involvement sets out to engage the local community, it does so on a bare minimum basis and without clear tangible commitment or outcome and almost as an afterthought – a box to be ticked on the application form to justify plans put forward.

There is a strong push by government (NPPF) and the newly-published National Design Guide, the government's Build Better, Build Beautiful commission to engage in the very early stages with local communities to ensure their views, aspirations and cooperation is part of the planning process. In Merton, that means keeping locals at arms length.

- 1- No consultations of any sort are done before an applicant has started his pre-application meetings. The pre-application meetings remain under wraps, behind closed doors. The knowledge of locals of sites to be developed is important, yet it is often after several pre-applications, DRP meetings and the application is about to or has hit the planning portal that a developer may consult locals. By then, it is too late. The issue is that the developer wants planning permission and seeks to implement what Council case officers and what Merton's urban designer advise, DESPITE often huge opposition from the public. This autocratic and opaque system does not lead to better developments and further frustrates any local community engagement.

Consultations need to be meaningful, really taking on board local comments, and not a box-ticking exercise which dismisses all but what the officers want.

- 2- The spirit of the law HAS to be included and not just the bare minimum legal requirements which often are also not complied with. Merton appears to be constantly operating right on the peripheral of minimum legal requirements. There has to be a shift in the way Merton planning perceives local communities' views. In addition:
  - A) Emails to case officers by residents are consistently not replied to.
  - B) Consultation periods are often flaunted and applications put to PAC Before the deadline close
  - C) Local communities are NOT consulted in any pre-application developments whether by the Council's own planning team, newly-formed firm or by independent developers. The draft SCI suggests that Merton Council regularly encourages developers to engage early. Merton Council itself does not do so for its own applications, gives itself liberties. It is judge,

jury and executioner, so understandably, the public are extremely suspicious and distrustful of the planning department.

- D) Officers' reports to PAC present a minimum and undetailed brushstroke of local concerns. Now that representations are not online, there is a concern that councillors and other residents are not able to view a transparent planning system. As time goes on, there is less transparency when there should be more.
  - E) Every single application that goes to PAC is recommended grant approval in spite of the detailed and valid points put forward by local communities and at times in their hundreds. These can range from policies not being followed to erroneous documents and drawings included in the application, which are presented to PAC as correct.
- 3- Merton Planning has to lead by example. It doesn't consult in the very early stages with any locals on any of its plans. The Council's own private development firm Merantun Development Ltd was appalling in its consultation on its first four developments this summer:
- A) Public consultation occurred in the height of the summer holidays.
  - B) There were no consultations with locals pre-application to gauge what their views and aspirations might be DESPITE the year-old NPPF and the SCI encouraging that.
  - C) Plans were not available online to consult and to view post consultation. Public points raised were dismissed and the applications were submitted as they were.
- 4- Planning Management Team: (Development Team)
- A) Consistent errors in applications which are not amended or corrected except with robust resident insistence. These discrepancies and errors often end up at PAC with erroneous documents which are presented as fact.
  - B) Case officers rarely reply to emails/queries relating to applications
  - C) The culture of the planning control team is to distance themselves as far as possible from the community or locals. The minimum statutory duty is applied or at times not applied at all. There is an autocratic approach that case officers know best and locals are an irritant to be avoided.
  - D) Inconsistency in decisions, policy interpretation.
  - E) Loss of representations is frequent. Now that representations can't be seen online which alerted one to their potential loss, this remains a huge concern for transparency
  - F) Amendments to major plans on the portal are regularly not flagged to those who sent in representations. Dormant applications of more than a year also have reappeared on PAC agendas with major amendments that no one knew about and accordingly could not comment on. An officer response that they were insignificant still does not allow for statutory consultation to take place.
  - G) Inconsistent handling of what constitutes a non-material change. It seems to depend on the officer; a similar application would be deemed material change when it wasn't with another.
  - H) Unwelcoming and archaic planning website which does not cater to the lay person – you have to be well-versed in planning and policy in order to respond to consultations and have patience of a god to navigate the website which often has incorrect links.
  - I) Developers are applying unwelcome town-changing plans based on non-adopted planning policies.(Francis Grove/Draft Wimbledon Masterplan) – Future Merton urban team advice according to the applicant.
  - J) Borough character and heritage site studies remain unfinished which leaves the scope open for numerous and damaging development interpretations – Future Merton Team
  - K) Pre-applications don't seem to guide developers away from poor planning examples in the area. NEW planning policies have to be applied and not a re-hash of the old – officers appear not to be well-versed in local aspirations, local knowledge and are slow

and reluctant at applying new national policies. The result is a tired, opaque, consistently poor outcome.

- L) Officers and urban designers regularly advise developers on site development and not within context of whole street/neighbourhood/aspired local character for the area. An early conversation with the locals to take their views into account (not just to say they have spoken to locals) could facilitate and expedite the planning process. Poor planning examples continue to dog due to lack of local consultation and not taking local views on board. Why did case officers and urban designer agree for a building to be painted dark grey to create the first anomaly on a vibrant terracotta-dominant high street opposite a popular and well-visited Grade II theatre??
  - M) Increasing number of “disappearing” documents on the planning portal forcing residents to resort to an increased number of FOIs to establish a fault in the planning administration system which officers refuse to acknowledge.
  - N) Planning control and enforcement mechanisms are poor – I am still waiting for any update on an enforcement email sent in July. My subsequent emails were not replied to.
  - O) Cutting down the time a resident can speak at PAC. There should be some flexibility. Controversial projects which attract lots of local objections should allow more speakers or longer speaking time.
  - P) Merton only publishes applications in Conservation Areas in the local press not all large developments, so the statement in the draft SCI is incorrect. Residents have to keep checking on the portal for applications or hear about them through word-of-mouth.
  - Q) The Council’s area/range for local consultation is so narrow, I could be 30 m away from the development site and Not get a letter to alert me.
- 5- DRP: All descriptions by Merton is that the DRP is made up of a panel of independent built practitioners (see text below). The DRP still has no terms of reference, and consistently has a long-serving local architect on the panel who dominates the panel and is heavily financially involved in the borough’s built environment for his private business. One applicant recently told residents that he was pointed towards the DRP architect instead of having to present to a DRP panel. The head of PAC is also chair of the DRP. The Council’s urban designer takes the minutes. Panel members could be invited to join through word of mouth, rather than an established and transparent system. This is far from being independent in comparison to other DRPs in Labour-run Councils. We highly value the DRP, but its integrity and independence must not questioned, especially as the DRP is listed in the draft Local Plan which incidentally did not include all the terms of the NPPF on local community engagement. This must be amended to fully reflect the NPPF.
- The traffic light system in the DRP is being manipulated to give confusing signals. Amber is no longer Amber, but amber with green because the developer is listening. OR Green as the developer listened and will now take on board the other comments to make it a green rating. That is not case. Once a developer is given green, he no longer adopts the further comments.
- Reports by the DRP for pre-applications once an application is live are not available on the portal and need to be chased individually, leading to lack of transparency or inclusivity.

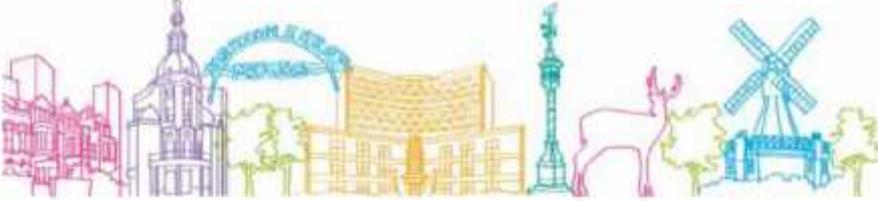
Lack of consistency by the Planning Development team regarding the DRP: it needs to make up its mind whether to respect the DRP’s ratings or not. When it is an application they seek to get approved, the DRP will rate highly in their advice to grant permission (Merton Hall) and will downplay its significance when it is called into question (amber for Harris Academy but the officers

dismissed the rating as being “advisory.” These are but a couple of examples. Many more

merton.gov.uk

8.10 Engagement methods that can be used include:

- Merton’s Design Review Panel (DRP): organised by the council, this involves a presentation of a proposal to a panel of independent built environment practitioners, who provide written feedback on any proposal. The Design Review Panel is made up of a group of independent professionals such as architects, urban designers and other professional working in the built environment field.
- Exhibitions, Community Forums and workshops: organised by the applicant to provide information about their proposals and an opportunity for feedback.
- Letters, leaflets and questionnaires: organised by the applicant, this involves sending a summary of the proposals and how to respond to properties which may be affected. This will focus on informing and getting the views of the properties most affected – this could be just a few streets, or whole neighbourhoods.
- Dedicated website: organised by the applicant and which could show



inconsistencies are available and recorded.

All the above seem to shut down local participation, opinion, contributions, engagement, trust, rather than open it up to a more transparent, fair, law-abiding and inclusive system in spite of advice for engagement already existing in legislation. There has to be a change in attitude by and an acceptance by the planning development and all Future Merton team that locals count, are a valuable asset rather than an irritant and know their environment better than any officer.

There has to be proper collaboration and communication between the Future Merton team and the Development Control team to ensure the aspirations of and engagement with local communities are on the same page and not at cross purposes.

There Has to be change by the planning department and Future Merton in **actioning local views**, rather than “listening” and dismissing them as is often the case, whilst stating that they have “satisfied” their statutory duty.

It only makes for a meaningless, time-wasting exercise lacking in transparency. Instead of actual community involvement, the Council stirs up negativity, distrust and increased workload dealing with community activism and FOIs.

I look forward to an amended SCI that is meaningful, transparent, consistent, inclusive.

Yours sincerely,



