Consultation statement on the draft Statement of Community Involvement (SCI) public engagement (28th October - 8th December 2019)

1.   Introduction

1.1   On the 15 October 2019 [Cabinet](#) that Merton's 2006 SCI be revised and approved a six week consultation on the draft Statement of Community Involvement. The consultation started on 28th October and closed on the 8th December 2019. We received a total of 31 response of which 21 were received via our online survey.

2.   Engagement methods

1.2   This section looks at the consultation and how the Council raised awareness of the consultation.

Raise awareness

1.3   The Council notified all the names of individuals, groups and organisations held on the Local Plan database[1]. These are made up of local residents, businesses, faith, environmental, civil and community groups. The names on this database are person who have indicated they wish to be consulted on planning development documents in accordance with General Data Protection Regulation (GDRP).

1.4   During the consultation the Council ran consultation awareness messages on Merton Council social media platforms such as Facebook and Twitter. In addition the Council placed adverts on Facebook. Residents/business who are signed up to the council's iConsult 'get involved' consultation platform also received notification of the consultation. The database has over 2000+ subscribers.

Building understanding, consult and communicate

1.5   We had a dedicated [webpage for the draft SCI document and consultation](#). Officers were available to attend community groups/association meeting and forums. However, we did not receive any invitations or request to address such meetings.

1.6   Merton Councillors were briefed by way of Merton's democratic process of the SCI, its role within the context of planning and it importance to our local residents and local business. A dedicated Council officer was available to answer any questions on the document and consultation.

3.   The online survey analysis of responses

1.7   The following section looks at the 21 online response via Survey Monkey portal. We used this survey portal as it is easy to use on a number of platforms such as mobile, tablets and it is a trusted portal.

---

[1] If you'd like to be added to our Local Plan consultation database.
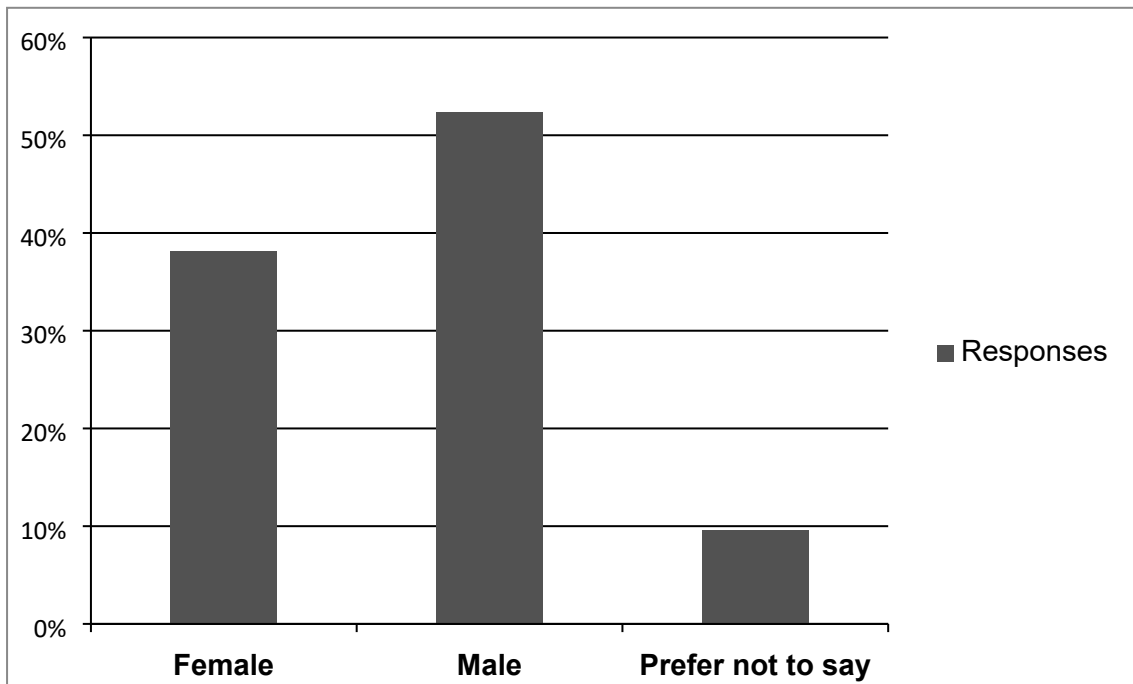Email: future.merton@merton.gov.uk

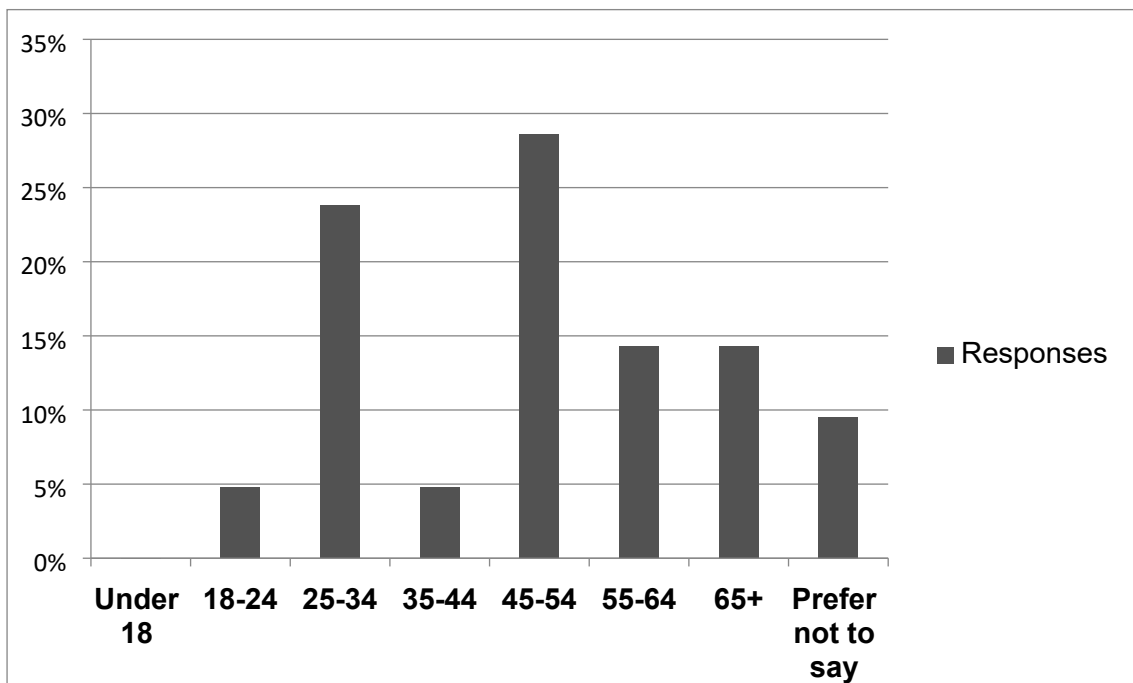## Q1. How did you hear about the consultation?
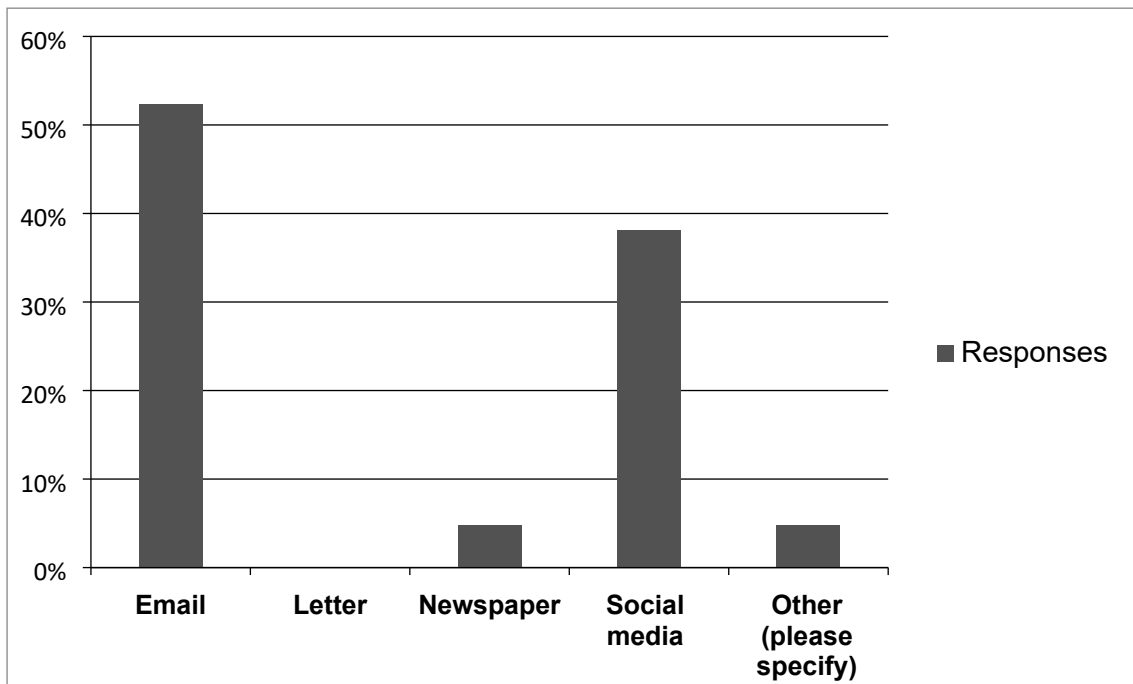
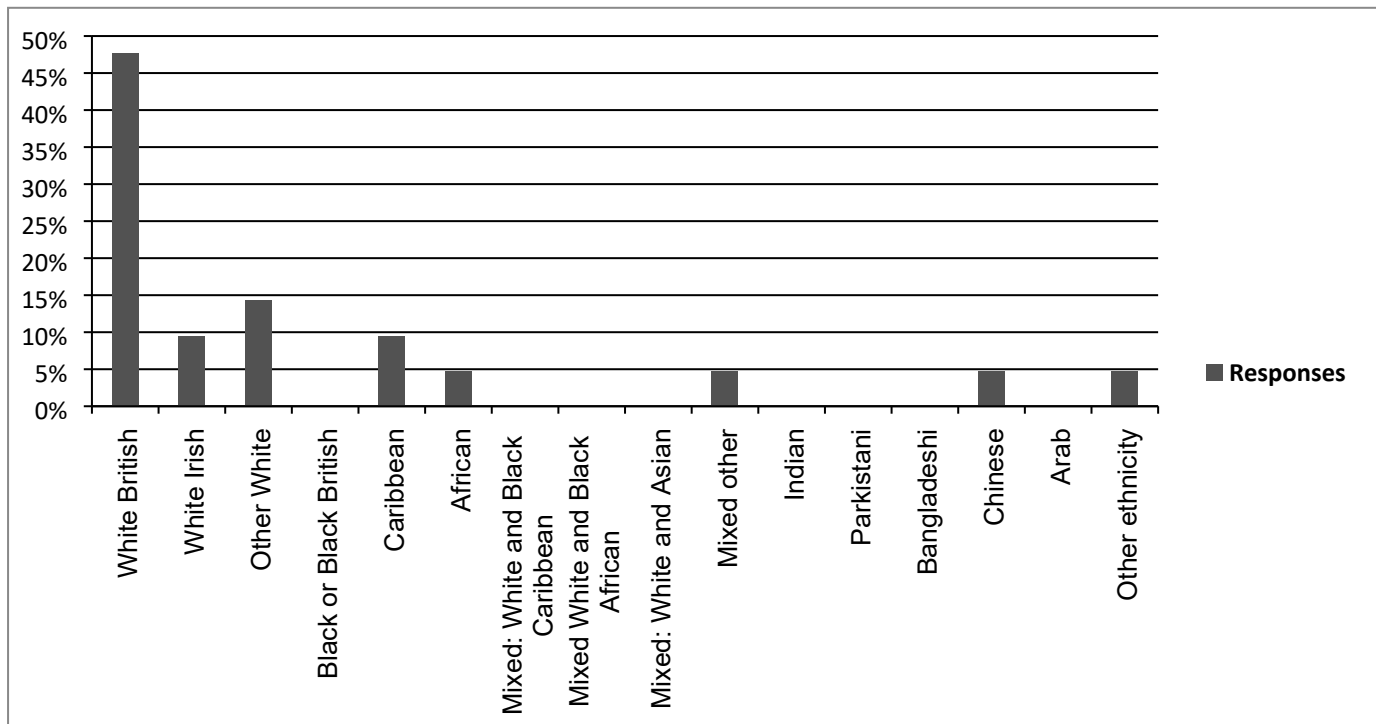## Q2. What is your relationship to the borough of Merton?
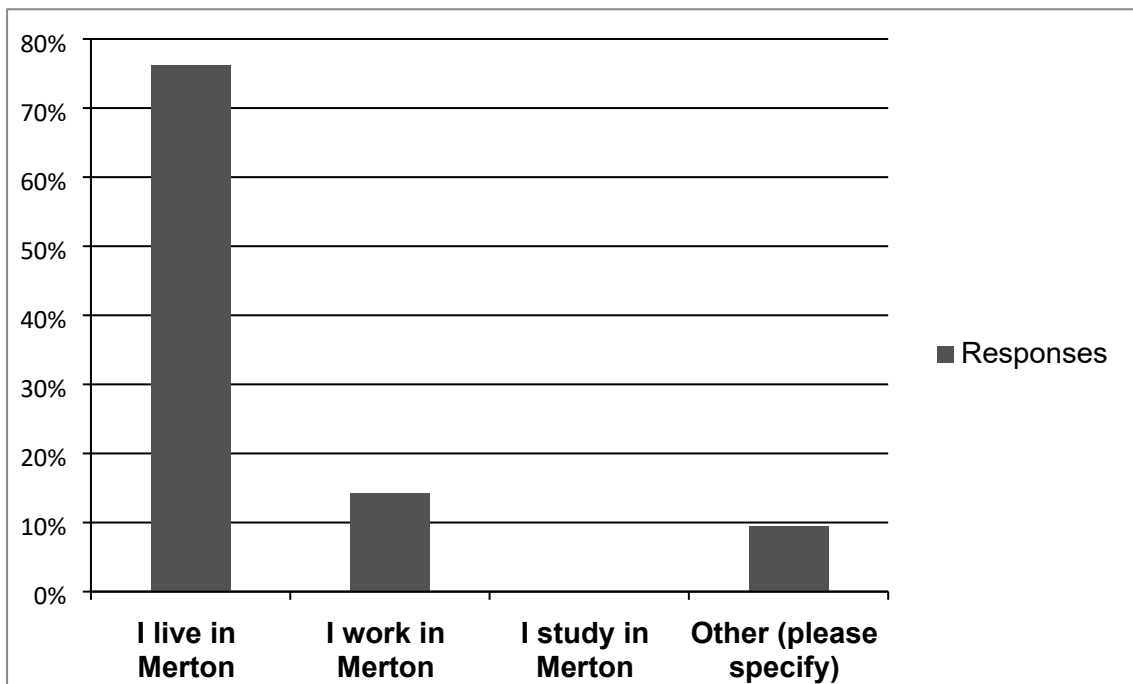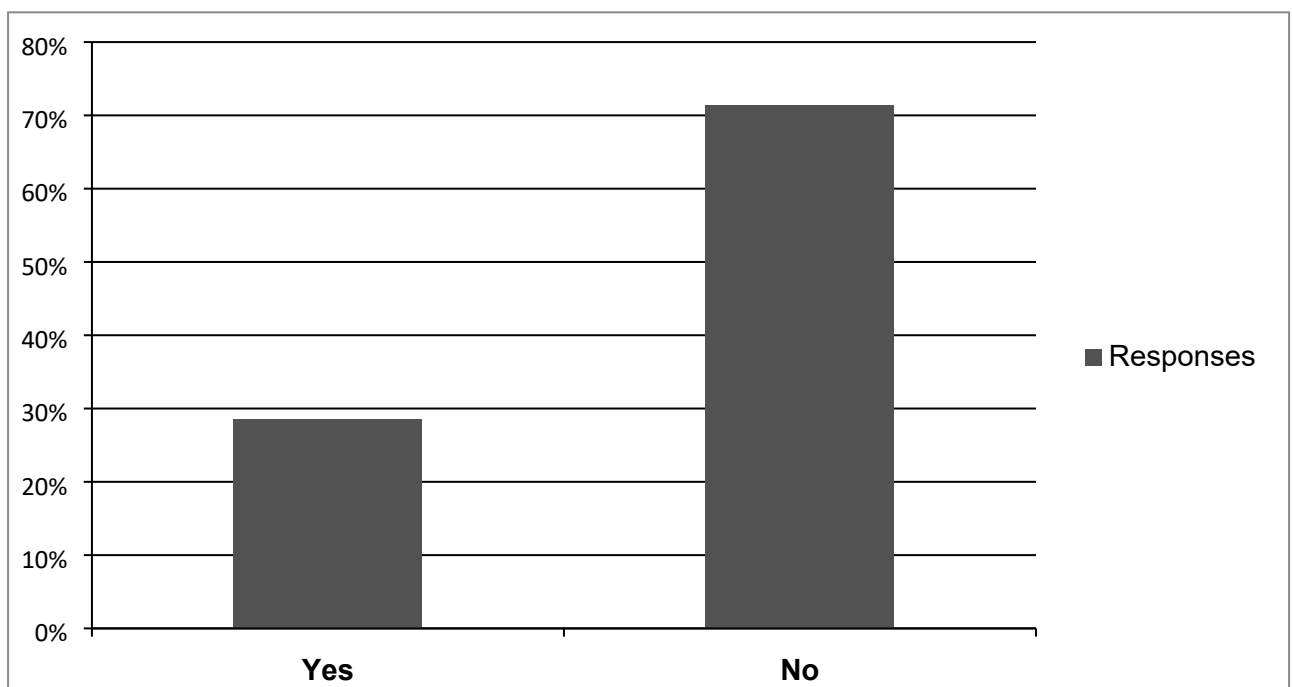
Q3. What is your gender?

Q4. What is your age group?

Q5. How do you identify yourself?

Q6. Do you consider that you have a disability?

Question 7- 15 comments have been taken directly from Survey Monkey online survey as submitted – with no alterations or spell check changes.

Q7: Do you have any comments on section 4: Accessible consultations and engagement?

- 18 people responded to this question

- The majority replied "No"

- 3 people skipped the question

Comment received	Council response and action if required.
Lack of engagement and consultation	The Council consulted with local communities, business and organisations using a number of methods such as letters, emails to circa 900 recipients. Social media messages ran on our Facebook and Twitter pages and an ads were placed on Facebook. Social media breakdown: Reach: The 18,492 people saw the ad at least once. *Reach is different to impressions, which may include multiple views* Impressions: The 26,412 the number of times the ads were on screen
What's the point, Merton does what it wants, doesn't listen & delivers as little as possible	The Council adheres to planning legislations in relation to planning matters.
The room proposed for the consultation should be sufficiently large enough to house the anticipated numbers of attendees.	The Council welcome this comment. Suggested text has been taken forward in the final SCI.
7.13 "all changes is". Should read "all changes are" 7.13 figure 4 should have "inform by emai" 7.19 should read " a.....plan becomes"	The Council welcome this comment and the appropriate changes have been made to the SCI.
Generally agree, but unless otherwise commanded by national legislation I see no need to for translation documentation into anything other than a recognised language of the British Isles (including BSL and Braille). I would like to see in consultations the submissions of representation not only in writing, but that facilities for the recording by	The Council welcome the support. The Council will make reasonable adjustment in accordance with the Equality Act 2010.

audio, stenography or sectretarial shorthand for verbatim or accurately edited notes be provided.	

Q8. Do you have any comments on Section 5: Our approach to involving the local community in planning?

- 19 people responded to this question
- A number of "No" responses were received
- 2 people skipped the question

Comment received	Council response
There is virtually no involvement of the local community. Locals views not taken into account	The Council works hard in engaging local communities and welcome views from communities. All views received are considered when preparing Local Plans and making planning decisions.
We are concerned that representations will not be available to view on the planning website. This is a backward step, creates a barrier to transparency. We would at very least hope that comments from non-statutory bodies such as Residents associations would be uploaded for residents to see. However, it seems only right that anyone should be able to see who has written and what they comments are, without having to add to the workload of the planning department by visiting the office to read the file. If GDPR is the reason for this change, it has been possible to upload letters and emails while redacting personal details. This seems a reasonable expectation.	Please see part b "The council's response to planning applications" (para 3.12) below.
Yes. 5.1 states 'we wish to ensure local communities are better informed about planning, its role...' etc. By failing to publish submitted comments on planning applications on the Council website, you are not adhering to this aim. People who work, have children, or have mobility issues find it hard to make time or physically make the journey to the Civic Centre to look at hard copies of application comments - possibly on a repeated basis for a controversial application. This reduces democratic access to and transparency on planning matters and reduces information available to members of the public. This is backed up by point 3 in this section which states a Council intention to use electronic methods of consultation 'including	Please see part b "The council's response to planning applications" (para 3.12) below.

email and the council's website to make involvement easier, quicker and more cost effective'. Allowing residents to read and consider comments on planning applications via the planning portal is clearly easier, quicker and more cost effective than having to make repeated appointments with an officer to view comments which have - as this document states - had personal details redacted anyway.	
I live on Kingston Road. I received no notice of a consultation for the works at Dundonald Church. This is going to have a big impact on me in terms of noise, on the very first weekend we were woken at 8am on a Saturday. I later found out this was approved by the Council ... I had no chance to object or submit. This needs to be a pro-active outreach by the Council and the developers, you should come to US as local residents and not hide away consultations.	Your comments are noted however, not within the remit of the SCI consultation or document. Comments have been forwarded to our colleagues in the Development Management team.
The layout of the document is not engaging and of a professional standard.	The consultation document and will be reviewed prior adoption.
I have started commenting on planning applications a great deal and I would like that my representations are responded to so that I can be sure they have been taken into account. I would like my representations to be made public on the internet so that my view can be communicated to the applicant and anyone else who is interested (despite data protection issues). Similarly, I would like to view other peoples' representations. This is democratic and informative. It would be helpful to have the applicants contact details published on the planning applications, or for a link to be provided to ensure that comments can be passed to these people.	Please see part b "The council's response to planning applications" (para 3.12) below.
Use different forms of communication to reach all sections of society, some do not use computers or mobile devices with social media	The Council carries out planning consultations in accordance with planning regulations and uses various communication methods for each consultation. We monitor and review methods used and were possible make changes depending on resources, the subject/topic of consultation and legislation.
Seek views at the earliest possible stages and throughout the planning process. - Indeed this is not happening. For amendments these are not publicised sufficiently even if considered minor/immaterial. Additionally submissions should be fact checked and advertising huff and misleading and inaccurate statements in	The SCI requires applicants to engage with local communities as early as possible, before submitting planning application. The Council also request that major sites are submitted to Council's Design Review Panel. This is to ensure that the views of local people and design professionals are

planning applications be directed to be removed from bundles submitted to officers and councillors to avoid bias language. Earliest opportunity includes a provision for a non-binding representation method at design review stage where relevant informed information can be submitted over and above the applicants submission and supposedly independent and professional review thereof. Where applications involve public realm or residences in the occupation of persons other than the land-owner there needs to be advertising that such items as may be in need of a planning involvement should be brought to the nearby public and the occupiers of land at the earliest point including any informal discussions and the basis for those discussions.	taken into account as soon as possible in developing the scheme. The Council carries out planning application consultations in accordance with planning regulations. In accordance with the National Planning policy Framework (NPPF), we are required to only request supporting information that is relevant, necessary and material to the application in question.
Other than 'Promote the use of electronic methods of consultation including email and the council's website to make involvement easier, quicker and more cost effective', all other bullet points are too vague.	The Council welcomes your comments.
Yes - the Morden development has had painfully little transparency and people in the area making major financial decisions about housing with no view of how long development is going to take or the phasing. Newsletter have not been released for over 12 months which is not a newsletter.	The proposed regeneration will be delivered through a partnership between the council, TfL and a development partner and will include new housing, retail and business space, expanded transport infrastructure and significantly improved public realm. In November 2019, our Cabinet considered a report and made recommendations on the next stage of the process, which will be the start of the procurement process to select a development partner. This report can be viewed on the council's webpage here. The report includes information on the timeline for the project. A major regeneration of this scale is likely to be phased over a number of years and will take some time to develop and deliver. The vision and objectives for the regeneration have been developed through engagement with the local community and further consultation will be undertaken as we proceed through the next stage of the project. We take on board your comment regarding

	the newsletter – we aim to produce the newsletter on a regular bases in the future.

Q9. Do you have any comments on Section 7: Statutory development planning documents?

- 17 people responded to this question
- A number of "No" responses were received
- 4 people skipped the question

Comment received	Council response and action if required.
Documents should be engaging, in plain English and well-illustrated.	Your comments have been welcomed and noted. The Council agrees that all documents must be engaging, wording must use the plain English practice and illustrated, where possible.
Make use of 'live' documents to keep up to date with policy and guidance, instead of documents becoming out of date shortly above being published	Note relevant to the SCI. Due to the nature of some development planning documents this not always possible, as they can be 'planning forward' documents over a set period for example is the Local Plan which, is a 15 year plan for the borough. The Council monitors and reviews our development planning documents and when statutory required to we will either update and/or produce new planning development documents, should planning legislation or planning policy requires us to do so.
Do we have a Neighbourhood Forum and, if not, should we have one?	The Council has 5 Neighbourhood Forums. This information and webpage links of forums has been added to the SCI.
There is a problem in that the legal 'Soundness' of a plan may not necessary be the best plan for the or from a range of alternatives, reasons for deciding why individual elements of a plan are 'sound' should be clearly given. When there is an area of opportunity where generally there has been no previoud development the rules for new development are valid. Where there is a change in the layout, density or similar where	Your comments are welcomed and noted. Not relevant to the SCI.

there is existing development the interests of those in occupation of that land, including the immediate surroundings of that land, need better protection, involvment and weight in dealing with that proposed developement , particulary in respect of current Human Rights Act interests in Land and the present legal interpretation frameworks for that Act which go beyond protections in the "Town and Country Planning (Local Planning) Regulations 2012" which are deficient in reference to The Human Rights Act 1998 and Equalities Act 2010 notwithstanding the later date of the Regulations the earlier legislation takes judicial preference	
It is unclear other than the three estates listed in the Estate Local Plan 2018, where will the other regeneration take place. It will be useful to attach the links to all available documents for the community to see. It will also be useful to have one web page where all the updates, documents, schedule for events will be stored so we don't need to go to sign up to all the facebook, email, etc to get all the information.	Not relevant to the SCI. Future development and regeneration sites are outlined in the Local Plan, known as Site Allocations. The Council is currently producing a new Local Plan and will identify a number of sites for future development in Merton. The current site allocation are detailed in the Site and Polices Plan. All our development planning document can be viewed via our website here All Council wide consultations including development planning consultations can be viewed here
Current planning policy being used is out of date eg, the Mayor's Supplementary Planning Guidance is dated 2014. The Core Planning Strategy is dated 2011. #the new Local Plan will not be in place until 2021. Can you accelerate implementation of policies that support biodiversity in the light of more recent guidance: Mayor's draft London Plan, Policy G6, also the 2019 NPPF and NPPG: https://www.gov.uk/guidance/natural-environment https://www.gov.uk/government/news/protect-birds-when-building-says-james-brokenshireBiodiversity and access to nature:	Not relevant to the SCI. The Council monitors and reviews all planning documents and will either update, amend or produce new documents if required; for example if there are changes to planning legislation and/or policies (national and regional). An example of this is our Local Plan, we are currently producing a new Local Plan for Merton. In line with the soon to be adopted London Plan. Our Local Plan is required to be in conformity with the London Plan and the National Planning Policy Framework. Local Plans are required to have regard to

Comment received	Council response and action if, required.
the supporting documents such as the national Planning Policy Guidance (supports the NPPF) and the Mayor's Supplementary Guidance (SPG – supports the London Plan). For example is the [Mayor's Environment Strategy](#), which also covers biodiversity.	

Q10. Do you have any comments on Section 8: Development management?

18 people responded to this question

- A number of "No" responses were received

- 3 people skipped the question

Comment received	Council response and action if, required.
Yes. In point 8.13 it is stated that Merton Council's website is "the key resource for finding out information about and commenting on planning applications". This is now clearly untrue since comments on applications are no longer posted online. Point 8.29 states that personal details on all comments will be removed. If this is the case, why not then make those comments accessible online? It is a better democratic solution to allow people to browse information online at home rather than forcing them to visit the Civic Centre and browse comments there. Failing to provide this information online creates accessibility and inclusivity problems and reduces community involvement.	Please see part b "The council's response to planning applications" (para 3.12) below.
Can you ensure that all representations are referred to by the planning officers in their reports and correspondence with the applicants, so that advice and information can be communicated to the applicants. Can you publicise options for enhancements for biodiversity which are not necessarily mandatory, to the applicants. Applicants may adopt biodiversity measure within their plans once they know about features which are available. This would result in gains for biodiversity.	Please see part b "The council's response to planning applications" (para 3.12) below. We welcome you comment on biodiversity. In accordance with NPPF, planning policies and decisions 'should contribute to and enhance the natural and local environment'.
During the optional pre-application stage encourage engagement with the consultation	Amendments made to Figure 6 (circa paragraph 9.4) to include this

bodies as well as the local community.	
Better enforcement at early stage of unauthorised development. Better enforcement at constuction stage and sign off of conditions to actually confirm that constuction- particular to waste handling functions during and from occupation are compliant and that transport plans are adhered to (cycle storage and similar).	Although these comments are not relevant to the SCI, these comments have been forwarded to our colleagues in the Development Management team.
In 8.13 is there supposed to be a link to the planning permission website page? If so it's not working.	The Link has been checked (now paragraph 9.3).
Yes. Section 8.16 outlines the types of application there is no statutory requirement to consult on. However, the Council does already routinely consult on many of these types of application. I have copied your wording below and added the actual application numbers of applications in the recent past as examples. "Certificates of lawfulness of proposed use or development - eg 19/P0339; 14/P1527 Certificates of lawfulness of existing use or development Internal alterations only to a Grade II listed building ♣ Advertisements - eg 19/P2709, 18/P4386 amongst many others ♣ Approval of details (exceptions are details for conservation area consents and external works to any listed building) Revisions to planning applications once valid (eg 19/P3408) Non-material amendments (eg 19/P3408)♣ Discharge of conditions (eg 19/P1626) The above are just a handful of examples - there are many others on the Council's planning portal. This transparency is extremely helpful to keep track of what's going on in the area and the impact it might have on Interested Parties. In addition, in the table in Figure 7 under the column headed 'Type of application' - the wording in some rows has been cut off making it very difficult to reconcile in some cases what the Council will consult on (and how) with what it says there's no statutory obligation to consult on. This whole section needs to be reconsidered and made much clearer in order for the public to form a view.	Amendment made (now paragraph 9.16).
Yes. Section 8.14 says that consultations on planning applications will last at least 21 days - my experience at the moment is that they	Amendments made see section 9.16 in the SCI.

typically last between 4 and 6 weeks. 21 days is far too short for most types of application. Section 8.29 - all representations by the general public should be displayed on your website. This always used to be the case but the Council has recently taken to not doing this citing privacy concerns and the workload of having to remove personal details from emails. The Council needs to find a way around this because not displaying all reps on your website erodes the transparency of the system. Thirdly, an ancillary issue - the Council should ensure that all documents that are uploaded onto your website in connection with applications are carefully dated - this should happen all of the time but unfortunately doesn't. This makes it very difficult for Interested Parties to follow any changes to applications.	Please see part b "The council's response to planning applications" (para 3.12) below.
Within morden - what development?	Not relevant to the SCI. The proposed regeneration will be delivered through a partnership between the council, TfL and a development partner and will include new housing, retail and business space, expanded transport infrastructure and significantly improved public realm. In November 2019, our Cabinet considered a report and made recommendations on the next stage of the process, which will be the start of the procurement process to select a development partner. This report can be viewed on the council's webpage here. The report includes information on the timeline for the project. A major regeneration of this scale is likely to be phased over a number of years and will take some time to develop and deliver. The vision and objectives for the regeneration have been developed through engagement with the local community and further consultation will be undertaken as we proceed through the next stage of the project.

Q11. Do you have any comments on Section 10: Principles of engagement?

- 15 people responded to this question

- The majority respond with "No".

- 6 people skipped the question

Comment received	Council response and action required/taken.
Can you ask planning consultants and other consultation presenters to inform interested attendees of who to contact to make comments and how to contact developers, architects etc. Can you post information on upcoming consultations/presentations at libraries in prominent locations. It is difficult to find out what is going on locally without a regular local newspaper.	Comments are welcomed and noted. Information on the Merton 'Get Involved' database has been added to the SCI. This provide residents with more information on how to take part in all Merton Council consultations. Residents can register for consultation alerts. Amendment have been made to Figure 6, of the SCI to encourage applicants to advertise pre-application meetings as widely as possible using a variety of methods.
Will be good to get a definition of the plan for wider morden town centre area. At the moment the local 2020 plan states it will be 'incremental redevelopment and change in the Wider Morden Town Centre Area when landowners are ready to invest in their properties.' Does this mean it will be down to independent private investors to develop the land. Also will there be a plan for social housing?	Not relevant to the SCI. Merton new Local Plan sets out the council's vision and objectives for the whole borough, including the wider Morden area and future housing development (types and tenure) as well as other topics. There will be another round of consultation on the new Local Plan in Autumn 2020.

Q12. Do you have any other comments on the SCI?

- 16 people responded to this question

- The majority respond with "No".

- 5 people skipped the question

Comment received	Council response and action taken if required.
Lots of people can manage emails, libraries and leaflets, but not many older people bother with twitter and facebook. It seems to be believed that twitter and facebook are mainstream methods of communication.	The Council monitors the consultation methods used for each development planning documents and will draw upon other methods such as workshops and exhibitions, where appropriate. This will depend on topic of the consultation and resources (staffing, costs).
The survey needs to be better linked to the document. I have tried to make my comments in the right section but it was difficult	Your comments are welcomed and noted for future consultations.
Not enough clarity on the theme of the transformation, type of housing and space required to achieve 2000 units, criteria of selection of housing to be demolished to increase housing density, and plans on the wider morden town centre area including the mosque.	Not relevant to the SCI. Merton new Local Plan sets out the council's vision and objectives for the whole borough, including the wider Morden area and future housing development (types and tenure) as well as other topics. There will be another round of consultation on the new Local Plan in Autumn 2020 and these comments are being forwarded to the Local Plan officers.

Q13. Would you like to be contacted by Future Merton team in future about other future development planning policy documents?
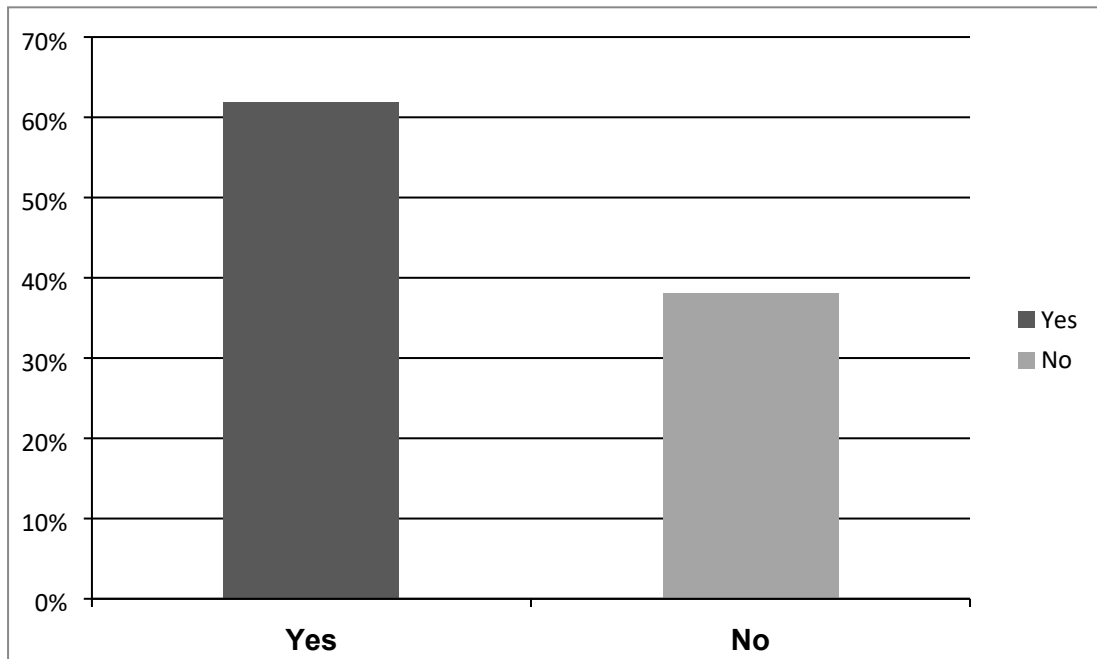
This next section looks at the response received by either letter or email during the consultation

Consultee ref number and or ID number	Comments received	Council response and action taken if required.
	Old style 'public consultation' needs to change to public involvement (10.4), and the Council's use of this term is welcomed. Consultation implies that a scheme design has already been decided on, where involvement implies an earlier and more creative role for the public.	Amendments have been made to the SCI, where appropriate.
001 SCI 2019/Wimbledon Society	The present system still fails to reflect the open-ness and involvement that the public, and indeed the Government (and the Council see 8.7 & 8.9?) now seeks. Too often, the relationship between Councils/developers and the public has been described as paternalistic, and top-down. The public now needs to be seen	We agree and believe early public involvement is essential. Amendments to the SCI

	by the Council and the developer as a contributing partner in the creation and evolution of projects. A fundamental change would see the public being made aware (on day one), that a scheme is being prepared for a site. It would then be able to contribute (see Section 10) to the creation of new development from the start. The "fait accompli" approach, where a developer presents of a set of finished drawings to the public at a late stage in the project, and asks whether they 'like them', is an outdated model. Early public and creative involvement should be the norm, and seen as a resource, not an obstacle	
	The Government (HMG) and Civic Voice and others are now encouraging this early creative approach. The Public intimately knows its town, with its history and character and people, and far better than any developer. This is valuable material that can help outsiders, helping to create designs that work locally, with pre-application advice (8.6). Developers deal with sites: they have no need to know about the planning of towns, it is not in their skill set. Once they have built and sold the new building to a pension fund, they disappear. The public, by contrast, lives with the result. Who has the greatest stake in the future of the town? And whose town is it anyway? So what specific changes should be considered?	Amendments to the SCI have been made to encourage developer to engage with local communities (now paragraph x)
	All pre - application meeting minutes and correspondence between developers and the Council officers should therefore	The Council does not automatically publicise details of pre-application discussions with potential developers until a

	be made public on a dedicated Council website on day one. If developers do not agree to this open and collaborative approach (usually quoting supposed 'confidentiality'), then the Council should not facilitate pre-application meetings (8.5).	planning application has been submitted. At application stage the pre-application report will be placed on the case file on the website.
	So-called viability statements should be made publicly available at the application stage to allow proper public examination. Currently there is no public confidence that these secret statements are other than excuses to avoid planning policy requirements. And concealing such 'material planning considerations' from public scrutiny cannot be right. Separately, the Council should press HMG to forthwith exclude so-called 'viability' from the planning system. Such calculations have their value but should stay inside developers' offices.	Your comments are welcomed. In regard to viability statements the Council must adhere to the requirements of the NPPF and other statutory requirements.
002 SCI 2019/ Merton Conservative Group	*Online Access to Planning Representations:* The Council's position on not allowing Merton residents to have online access to planning applications' local representations is neither acceptable nor tenable; the Council's planning officer states that residents wishing to view objections must now *travel across* the Borough and view them in person at the Civic Centre…………. The Conservative Group is happy to support this by engaging directly with the Information Commissioner to ensure the ICO understands the unintended effect of their potential sanctions and avoids any overzealous approach with regard to local authorities.	Please see part b "The council's response to planning applications" (para 3.12) below.

	The position of the Council at paragraph 8.29 is therefore not acceptable.	
	New software functionality for planning alerts:....Group advises the IT and Planning directors to review and implement as soon as possible a new planning alerts functionality to help residents and local community groups. Residents and community groups would be able to enter their own postcode (or another postcode in the Borough) into an online portal and then receive automated alerts of applications, decisions and appeals with a chosen radius. We understand the Conservative group in Wandsworth has implemented such a system and we advise Merton to look at bringing in the same helpful system for our Borough residents as soon as possible, in order to better service our residents and improve community involvement.	Please see part b "The council's response to planning applications" (para 3.12) below.
	Procedure at the PAC: The Council must recognise that having Residents at the PAC is of the highest importance through our planning processes. The work of Planning Officers in supporting such processes is vital. The support given at the PAC must be objective, impartial and consistent. Where residents and committee members come to a decision regarding an application, the planning officers' help in ensuring the recording of a suitable rationale in the correct technical terms is valued and needed.	No amendments proposed

	Use of online communications and social media: The Conservative group very much supports the use of digital interfaces and social media to support planning processes and consultations, in particular with regard to changes in Borough plans and policies.	No amendments proposed
	Communication with ward councillors: To better facilitate the opportunity for engagement with community, planning officers should reach out to ward councillors to inform them of more significant applications in their wards at the earliest opportunity. Planning officers should encourage applicants to do this as well, ideally at the pre application stage, but planning officers must also take the opportunity to proactively notify ward councillors to help seek the views of the local community and improve involvement.	We note your comments and have forward them to Development Management colleagues.
	Enforcement of Conditions: The trust and confidence of the local community is sometimes challenged by applicants not complying with planning conditions during and post build. To facilitate a better level of trust from the community and lessen the need for more challenging community engagement post build, the Council's planning department would benefit from applying a more rigorous approach to enforcement of conditions immediately post-build. Where conditions require	Not relevant to the SCI. Your comments have been forwarded to our colleagues in the enforcement team.

	plantings, trees, beds and shrubs, such conditions and final inspections must become a priority for the Council's enforcement policy in order to assist better air quality outcomes and improved amenity and urban greening.	
	Planning notices: A review of the Council's processes to serve the required notices on local residents and interested parties who may have responded to applications, must be undertaken. Too many residents and affected groups do not receive the required notices and letters, compromising stakeholder trust and confidence and creating inefficiency as planning periods have to be recommenced as notices are served afresh.	Your comments have been forwarded to the Development Management team.
	Design Review Panel: The Design Review Panel needs to become more transparent and accountable in its work such that residents achieve a greater degree of confidence in the work it is doing to achieve better quality designs for new developments. The ability for the community and residents to attend or monitor the DRP should be clarified, along with the Panel's constitution.	Please see part a "The Council's response to Design Review Panel" (para 3.4) below
003SCI2019/Historic England	We support the general aims and approach of the draft SCI.	We welcome your support.

004SCI2019/Merton Liberal Democrats	The benefits of involving the local community: We are pleased to see the Council acknowledge the importance of involving the local community. In particular, the point you make that the Council is "*Benefiting from the detailed local knowledge and perspective of local people and community organisations/groups.*" ……… An accessible, easy and low cost way of assisting people to do this is by having representations made available on the Council's website. This allows residents and councillors to have a rounded view and as broad perspective on an application as possible, and to contextualise their own representations.	We welcome you support.
	Accessible consultations and engagement: We agree that "Plain English" should be used for communications about planning, and would request that documents such as standard letters inviting people to PAC etc be included within this.	Your comments have been forwarded to the Development Management team.
	Our approach to involving the local community in planning We are pleased that the Council wants to "Promote the use of electronic methods of consultation including email and the Council's website to make involvement easier, quicker and more cost effective", but note that this is not promoted if access to planning representations is not part of this approach.	Please see part b "The council's response to planning applications" (para 3.12) below.
	General Data Protection Regulation (GDPR) / 8. Consultation on Planning Applications / How to comment on a planning application: We note that the requirement to redact certain information from planning representations is set out in the Planning department privacy notice and that that privacy notice	Please see part b "The council's response to planning applications" (para 3.12) below.

	states that "Sometimes we might decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything." Notwithstanding the Council's position that publishing planning representations online risks disclosure of personal information that should be redacted under the Council's privacy notice, this is also a risk when hard copies of representations are made available to residents as per para 8.29 (and indeed it has been suggested to us by officers that representations may be emailed out to residents). The risk of disclosure is not an inherent risk of the information being made available online, but a risk of human error – stopping online publication does not reduce the risk of human error. Para 8.29 asserts that "All personal details will be removed by the Council in accordance with General Data Protection Regulations". This seems an unclear comment as not all personal details are to be removed, simply those that are indicated under the privacy notice as to be redacted. Indeed, the privacy notice itself indicates that sometimes the Council will determine to publish information that would normally be redacted. We would ask that the Council seek formal legal (and possibly ICO) advice with interpreting the implications of GDPR and the 2018 Act in this area.	

	Neighbourhood planning We believe that the Council should proactively work with local communities to create Neighbourhood Plans for local neighbourhoods to give people real control over the development in their area, by turning residents' views into planning rules. It should be an ambition for the Council for Neighbourhood plans to be developed and put in place.	Not relevant to the SCI. The Council works with communities who wish to develop a Neighbourhood Plan. It is local communities who decide whether they wish to have a neighbourhood plan for their area.
	Consultation on Planning Applications /How to comment on a planning application We would ask that further guidance could be given, and perhaps a protocol can be developed for planning case officers for how residents might input into potential planning conditions and the subject of s 106 agreements to mitigate the impact of developments.	No amendments proposed.
005 SCI2019/ Metropolitan Police Service (MPS)	We are pleased to see that the MPS has been recognised as a 'specific consultation body' and therefore are consulted with regards to the preparation of planning policy documents. ……..the Metropolitan Police Service requests that they are also consulted on planning applications which are referred to the Mayor of London for consultation. This is to enable the following: • Delivery of a Dedicated Ward Office (DWO): The MPS have identified the need for Dedicated Ward Office (DWO) accommodation in specific locations as part of their Estates Strategy. A DWO is a small room containing lockers and operational equipment and forms a 24/7 base of operation for	Not relevant to the SCI, however, your comments relating to S106 have been forwarded to the S105/CIL team. The Council engages and meets with the MPS as well as other statutory and will continue to do so.

	the MPS. Further information can be found in the enclosed package including a map showing areas with the greatest need. • Inclusion within the Section 106: It is widely accepted and documented that policing infrastructure represents a legitimate item for inclusion within the S106. The MPS requests that they are also involved in these discussions. Relevant case law is enclosed in relation to the principle of developer contributions towards policing.	
006SCI2019/Natural England	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	We welcome your support.
007SCI2019/Merton Centre for Independent Living (Merton CIL)	Accessible consultations and Engagement: Merton CIL recommends referring to Disabled people rather than 'those with disabilities'….. We would also suggest the document refer to accessible facilities, for example, an accessible toilet rather than a disabled toilet.	Amendments have been made to the SCI (now paragraph 6.1)
	We would recommend providing all documents electronically - this will often meet people's need to access documents in alternative formats. The reference to audio tape and even CDs sounds very out of date - some young people may not even know what an audio tape is.	This section has been informed by the Government's guidance, Accessible communication formats and additional text has been added to the SCI reflecting the Government guidance.
	Our approach to involving the local community in planning: We	Your comment is welcomed. Requirements relating to people

	understand and recognise the growing importance of electronic involvement, particularly as it can make the process more accessible for many Disabled people. However, we believe that a balanced approach is needed to ensure the widest possible range of people is involved. This is reflected elsewhere in the document but may need to be stated here.	with disabilities are included in paragraph 6.1
	Statutory development of planning documents: We recommend that the Council explores approaches around co- production and co-design for all aspects of planning. The value of these approaches is gaining increasing recognition as giving a strong basis for community involvement. Co-production involves developing a set of principles for communities and public services to work together as equal partners………….We also recommend the Statement recognises that engagement with disabled-led organisations is preferred over those that are not led by Disabled people when working on disability issues.	No changes proposed.
	Targeted events: We welcome the recognition that targeted events may be needed with Disabled people and mental health service users (which should be expressed in these terms).	We welcome your support.
	Development management For point: we believe the Merton Design Panel would benefit from having a member who has technical expertise on disability access in architecture and design.	Please see part a "The Council's response to Design Review Panel" (para 3.4) below
	For point 8.26 we recommend disability access should be a material consideration, if this is possible.	Not relevant to the SCI. All developments proposals are required to comply with Building Reg M on accessibility

Mitcham Cricket Green Community and Heritage	a poor quality online management system for planning applications using an out of date version of Planning Explorer an inability to access planning applications and related information via an online map, as is the norm in other London boroughs recent withdrawal of citizen representations on planning applications from Planning Explorer and removal of information on closed planning applications, contrary to the practice of the majority of local planning authorities in both London and England	Please see part b "The council's response to planning applications" (para 3.12) below.
	inadequate transparency in the operation of the Design Review Panel, including in the recruitment of members, provision of information on meetings, participation of Planning Committee members, lack of public access to meetings involving Merton Council's own development, convening of sub-groups without any publicity or public record and limited and inconsistent provision of reports inconsistent provision of pre-application advice and Design Review Panel reports on Planning Explorer	Please see part a "The Council's response to Design Review Panel" (para 3.4) below
	inadequate and inconsistent neighbour notification	Your comment have been forwarded to the Development Management team. The Council sends out notifications/letters using Royal Mail.

| | recently reduced opportunities for the public to speak at Planning Committee meetings for a local authority which prides itself on being one of the first to make this possible | The procedure for Public Speaking at Planning Committee changed in 2017.

Prior to May 2017 three objectors were allowed to speak and each was allowed 3 minutes.
After May 2017 the number of objectors routinely allowed was reduced to two, with each one still allowed 3 minutes.

However, public speaking at Planning Committee is at the discretion of the Chair, and when there is a large item with a lot of public interest the Chair has the authority to increase the number of speakers.

An example of is the Tesco site, Burlington Road application were, the chair is will be allowing three speakers at this week's meeting on the Tesco site, Burlington Road application.

The change in speakers arrangements was confirmed at the Planning Committee Meeting on 17 March 2017: https://mertonintranet.moderngov.co.uk/ieListDocuments.aspx?CId=155&MId=2633&Ver=4 |

	poor quality online information presented via a visually unappealing website that is hard to navigate, lacks use of Plain English and provides planning policies buried in multiple policy documents downloadable only as large files inadequate reporting mechanisms for enforcing planning controls and the lack of a public register of outstanding enforcement issues	Merton Council is currently making changes to our webpages in accordance with legislation and/or guidance. We agree that our pages, publications and document should use plain English where feasible
	a failure consistently to abide by internal protocols for acknowledging and responding to emails on planning issues	We note your comment.
	inconsistent approaches to the validation of planning applications submitted with inadequate information variable handling of documents provided online with significant amendments to planning applications and their supporting documents being made without any notification to those making representations an inconsistent approach to publicising "non-material amendments" to planning applications variable quality in the reporting of public representations made on planning applications in officer reports to Planning Committee	Not relevant to the SCI. Your comments have been forwarded to the Development Management team.
	a lack of coherent communications about the work programme and priorities for the futureMerton, development management and enforcement teams	Not relevant to the SCI.

	a lack of any protocol for informing applicants seeking pre-application advice of the importance of engaging with identified local community groups, including Mitcham Cricket Green Community & Heritage.	The Council encourages developers to engage with Merton diverse local communities for example community groups/organisation that represent and speak on behalf of BAME (Black and Asian Minority Ethnicity) groups, religious, children and young people demographic who are often underrepresented who may not engaging in the planning matters, as well as heritage groups.
	a lack of engagement with the local community through well-established design tools and processes, including masterplanning and design codes for significant areas a variable and inconsistent approach to community engagement in the development of the planning policy evidence base	The Council will use other appropriate planning/design tool such as masterplanning, where appropriate.
	out of date and incomplete Conservation Area Appraisal and Management Plans which deny the opportunity for community engagement in their future incomplete coverage and completion of character studies across the borough.	The council acknowledges that these documents are either out of date of incomplete –due to resourcing issues (staff) we have in the past been unable to move forward with this work. We hope that in 2020/21 we will be in a position to kick start this important work.
	withdrawal of planning and design issues from the previous Heritage and Design Working Group	Not relevant to the SCI.

Wimbledon East Hillside Residents Association	• Lack of transparency and concerns how consultations are held • The use of Survey Monkey as a engagement tool • Comments on wimbledon (Masterplan) SPD – zero carbon, climate change,	Our approach to the last Future Wimbledon masterplan consultation was to use Survey Monkey as it's an easy to use digital platform for people to respond, especially on mobiles. It also gives us greater analytic capabilities The Council welcomed all views on the plan, therefore Survey Monkey was set up as a 'free-text' blank box. This allows for all respondents to give their personal views, unrestricted. Following feedback, the current consultation is structured using the themes and sections of the document that were influenced by the community responses.
Ref: 010 SCI 2019	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 Council encourages developers to engage with local communities before submitting planning applications especially for large and sensitive developments.

	1- 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
		Not relevant to the SCI. We welcome your comments and have forwarded them on to the Development Management and Web team.

	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??	

1.8   During the public involvement/consultation we received a number of comments on the following topics:
- Design review panel
- Planning applications no longer on the council website

1.9   For these two topics we have combine the comments and the Council responded to them collectively covering the issues raised.

a) The Council's response on **Design Review Panel**

Confidentiality of DRP

1.10   The pre-application process is a legitimate and well established means of discussion between the local planning authority and prospective applicants for planning permission. This is currently run as a 'confidential' service. When the Design Review Panel (DRP) reviews pre-application proposals, it is therefore appropriate to maintain consistency in this

respect. Not to do so is likely to put-off applicants from using the DRP, which they have no obligation to use. This would be detrimental to improving design quality. When pre-applications become live applications for what is essentially the same scheme, the protocol is that the pre-application comments of the DRP should be put on the public application page on Planning Explorer.

Scrutiny of DRP

1.11   The DRP is not a constituted council committee and therefore not subject to the same levels of scrutiny and organisation. It is therefore not a collaborative process in itself, but part of one. The views of the DRP are one of many material planning considerations the case officer/Planning Applications Committee (PAC) needs to take into account in making a decision. The DRP is not a decision making body and it is not a substitute for advice given by council officers. It gives specialist design advice to the applicant and council as a whole to enable the applicant to improve its proposals in terms of design, and to inform (but not replace) decision making by the local planning authority.

Public attendance of DRP

1.12   The vast majority of design review panels do not consist of public attendance and some do not even publish their comments. This is not a point of secrecy. This is because they are there to seek the views of particular people. Thus with those panels that allow public attendance, the attendees can only observe. In all cases where a design reviewed proposal leads to a full planning application, the DRP comments are either available publicly on the DRP webpage or through the Planning Explorer. As the DRP is an occasional consultee, the need for scrutiny and monitoring should not necessarily be more onerous or different from that applied to other similar consultees.

Workshops and DRP

1.13   There are a number of different types of review undertaken, depending on the stage in the development process a proposal is. Workshops are less formal and early stage, and follow-up reviews often smaller and quicker, after a main review has taken place. Merton DRP rarely uses these approaches, but where it does, they are subject to the same public availability as mentioned above.

Recruitment of DRP members

1.14   As most DRPs are not a formal part of the committee process of local authorities, recruitment of panel members is not normally done through a council's formal recruitment process. It should also be noted that there are also private companies that run panels for local authorities and they have their own recruitment processes. Recruitment for Merton DRP is

similarly organised. Recruitment is refreshed every few years by advertising through professional organisations. As with any recruitment process, appropriate processes must be balanced with confidentiality for applicants. This process is managed as part of the DRP management with applications assessed and reviewed by suitably qualified officers.

Skill set of DRP members

1.15   It is normal practice for Panels to have an 'open invitation' for suitably qualified professionals to express interest in becoming panel members. They are then considered along with others when a periodic membership review happens. Achieving quality design requires a range of built environment skills and recruitment aims to ensure there are appropriate skills represented by panel members. Due regard is also given to making the panel as diverse and representative as those within the profession and to community they serve, seeking an age, gender and ethnicity profile that achieves this. Accessibility requirements for buildings are covered by Building Regulations which practising professionals are required to build by.

DRP Influence on the Planning Committees

1.16   Good practice guidance is clear that the views of the DRP are a collective view, and not those of any particular individual. This is the way in which notes are written. Notes are viewed and commented on by Panel members and the chair before being finalised. During meetings the role of the chair ensures every panel member has a say and individuals are not allowed to dominate. These procedures ensure the final notes are a balanced view of the Panel as a whole and provide as clear a steer for the applicant as possible. The chair takes no part in influencing design comments and does not make design comments. As a councillor the chair only manages the way the meeting is run. Traffic light verdicts are intended to give a snapshot view at the end of a meeting. It is the full notes published after the meeting which is the full record of the Panel's views. This system crystallises the views of the Panel and helps give the applicant a clear steer. Notes of meetings are notes of what was said by the panel at the meeting only, and are not altered after the meeting and contain only the views of the Panel which reviews the proposals.

Review of Merton's DRP

1.17   The council has been operating a DRP for over 13 years. During this time it has played an important role in improving design quality for a number of built developments. The council is aware however, that in this time the landscape within which design review operates has changed. The policy context has also changed and become clearer regarding the need to have design review panels. To this end the council is undertaking a process of review of how the Merton DRP operates. The purpose of this is to ensure the panel operates according to best practice. This process has begun and will continue throughout 2020."

b) The Council's response on changes to **viewing planning applications**

1.18   Residents are able to comment on planning applications as part of the statutory consultation process. Comments received are fully considered and summarised in the relevant reports which are then uploaded onto the website and are available for public viewing. Such correspondence (redacted) is also available and requests can be made to the development control team (planning.representations@merton.gov.uk). There is no statutory duty to display such representations on the website.

1.19   A decision was made not to display representations at this time due to the risk of personal information being uploaded contrary to Article 5 (1) (f) of the GDPR which "requires that personal data shall be: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')." The Council had experience a number of data breached due to the quantity of such letters received. The decision not to display is in line with around half of other London Councils. However, the council is currently investigating other ways to make representation easily available in the public domain with a new upgrade to the existing IT system which may include redaction software.