REASONS FOR LOSS OF CONFIDENCE IN THE PLANNING PROCESS

ISSUE	COMMENT	EXAMPLE
1. Enforcement	No timely intervention and enforcement by planning officers following unapproved building modifications by developers, and following .serious complaints by residents In contrast ordinary residents threatened with enforcement over inconsequential issues regarding listed buildings/conservation areas. Contradicts Nolan Principle #3 Objectivity: Holders of public office must **act and take decisions impartially, fairly and on merit**, using the best evidence and without discrimination or bias.	Merida, Dawn Wall at Singleton Gdns Palm Grove Sydore Edwinstowe Oddicombe Hall Norcliffe Hotel
2. Competency	Lack of qualifications, knowledge or expertise in relevant matters such as conservation of heritage buildings, and no attempt to acquire such expertise from external sources. No-one competent in conservation since Hal Bishop retired. Internal promotion recently of someone who had been in post for over a year and "rubber-stamped" the Merida application. Sean Davies claimed he was not an expert in drainage. Seemed lost and confused in Planning Committee meetings, unable to answer councillors' questions.	Merida Singleton Gardens Dawn
3. Flawed judgement	Lack of credibility in planning officer judgements when assessing the "degree of harm" caused to a heritage building (without records of the building baseline prior to changes then no judgement be made of the significance of the changes). Sean Davies dismissed residents' objections as 'subjective', and dismissed all objections out of hand.	Merida Singleton Gdns Dawn
4. Failure to consult Historic England	Failure to consult Historic England on listed buildings or undesignated heritage assets in conservation areas such as Merida, Singleton Gardens. Historic England should have been involved from the outset on MERIDA. Complaints made to them by residents were followed up with the Council. Planning Officers advised that enforcement action was being taken but this was incorrect. Contradicts Nolan Principle #6 Honesty: Holders of public office should be **truthful**.	Merida Singleton Gdns

ISSUE	COMMENT	EXAMPLE
5. Evidence disallowed	Refusal to allow evidence (i.e. a model) submitted by objector(s) in support of their argument: What about aiding the visually impaired? Sean Davies refused to consider photographic evidence regarding the southeast extension. Contradicts Nolan Principle #3 Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, **using the best evidence** and without discrimination or bias.	43 Thatcher Avenue Dawn
6. Misleading arguments	Refusal by Planning Department officers and their solicitor to acknowledge the fallacy of claimed shortfalls in meeting housing targets.	Said at every Planning committee meeting
7. Flawed planning conditions	Failure to impose planning conditions that are suitable to hold developers to "their side of the bargain". For example, Palace hotel and associated new housing development: Dawn Inadequate conditions regarding drainage. Refusal to follow up after complaints.	Palace Hotel
8. Poor design	Poor or inappropriate design of new development proposals, particularly in Conservation Areas	43 Thatcher Avenue; Land behind St Helen's in Ridgeway Road; Singleton Gardens.
9. Conservation areas	Missing Conservation Area Appraisal for some conservation areas for example, the Lincombes, and out-of-date CAAs for other areas. Now highlighted by Historic England in respect of Torre	Lincombes Hotel Virginia
10. Inadequate information	Insufficient or missing information on planning applications (e.g. lack of key dimensions; "before and after" building footprints on drawings) making a judgement of the implications of a new development difficult/impossible. Dawn - inadequate plans, no proper measurements, misleading designs. Picked up by Councillors, ignored by Wendy Ormsby.	Allways Dawn

ISSUE	COMMENT	EXAMPLE
11. Conflict of interest	Apparent "Conflicts of interest". For example: • When a developer is Deputy Chairman of the Planning Committee • When an architect on the Design Review Panel is cited as an expert on heritage & conservation in planning applications (Metcalf) • Dawn - The architect has close contacts with the council, and is on the Design Review Panel FoI request showed almost intimate relationship between officer and architect but very distant and formal attitude officer to residents. Mervyn Seale has argued for years that architects like Metcalfe, Kay Elliot sit on the design panel and have inappropriate access to officers. Contradicts Nolan Principle #2 Integrity: Holders of public office must avoid placing themselves under any obligation to **people or organisations that might try inappropriately to influence them** in their work.	Singleton Gdns Hotel Virginia Dawn
12. Complaints process	No confidence in the independence of the complaints process as a complaint about the planning department is investigated by the Director of Planning under the Council's one stage complaints procedure. Complaints about officers were handled by Vicky Wills who always found in favour of officers. Failure to respond to Formal Complaints in accordance with Constitution time scales or properly address the questions raised. Multiple examples now with the Ombudsman. Contradicts Nolan Principle #5 Openness: Holders of public office should **act and take decisions in an open and transparent manner**.	Singleton Gardens Lincombe Keep Dawn

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13. Censorship	Some objectors who have voiced concern about the above are finding that their comments are being removed from the Planning Portal without consultation. If there is an issue with what has been submitted then the objector's submission should be returned for re-drafting (with reasons) and not just deleted from the Portal. Contradicts Nolan Principle #3 Objectivity: Holders of public office must **act and take decisions impartially**, fairly and on merit, using the best evidence and without discrimination or bias.	**Hotel Virginia** **Merida** **Planning Appication made by Vice-Chairman of planning Committee**
14. Competency of Planning Committee	Queries about the degree and suitability of training given to members of the Planning Committee and those who deputise. • What is the scope of the training and are there regular updates? • What is the required ability to comprehend drawings? • How much attention is given to the applications and objections registered on-line? Are decisions solely based on the Planning Case Officer report? • Apparent lack of consideration of representations made at meeting (improved at last meeting)	
15. Secrecy	• Pre-application meetings are secret, and this is not best practice. Other LPAs are transparent and publish details • Failure to allow disclosure under Environmental Information Regulations 2004 on the grounds of public interest not served, and allegations that the applicant is being vexatious Contradicts Nolan Principle #5 Openness: Holders of public office should act and take decisions in an open and transparent manner. **Information should not be withheld from the public** unless there are clear and lawful reasons for so doing.	Merida Singleton Gdns 43 Thatcher Ave Lincombe Keep Merida
16. Collusion with developers	Site visits have taken place where the developer was present. Complaint now with Ombudsman. Contradicts Nolan Principle #2 Integrity: Holders of public office must **avoid placing themselves under any obligation** to people or organisations that might try inappropriately to influence them in their work.	Lincombe Keep Merida. Dawn

ISSUE	COMMENT	EXAMPLE
17. Wrong information	Incorrect information provided by the Planning Officer to the Planning Inspectorate leading to an incorrect decision by the Inspector. Dawn - Massive failure by officers to defend the refusal. Put junior officer on the case, no attempt to seek support from residents	Lincombe Keep building heights Dawn
18. Not following the rules; Members' conflicts of interest	Heritage impact advice provided by Council Officers not policy-compliant and not in accordance with national planning guidance.	Nichola Burley (Heritage Vision) email to Planning Dept. declining invitation to Agents' Forum
19. Incorrect advice	The "fear" of appeal costs being awarded against the Council has regularly been cited by Council officers as a justification in support of a planning application. This is not a planning consideration. The in-house planning solicitor has not been robust in over-ruling such assertions. Contradicts Nolan Principle #3 Objectivity: Holders of public office must **act and take decisions impartially, fairly and on merit**, using the best evidence and without discrimination or bias.	Lincombe Keep and other applications. Said at several Planning Committee meetings.
20. Council not acknowledging complaints by objectors	• Complaints ignored because not submitted using on-line system. A letter of complaint was dealt with as an "enquiry" only. • Late submission of revised planning drawings by applicant on 3 August- Objectors then had to rush to put objections on the portal which were ignored along with refusal to allow the model Contradicts Nolan Principle #3 Objectivity: Holders of public office must **act and take decisions impartially, fairly and on merit**, using the best evidence and without discrimination or bias.	43 Thatcher Avenue
21. Insufficient attention to protection of both the built and natural environment	• Failure to take timely action to limit or stop deterioration/ degradation/ destruction of heritage assets • Failure to take timely action to limit or stop destruction of environmental assets	Pavilion Merida Felling of 48 palm trees at Abbey Gardens in a Conservation Area Dawn – water outflow at Listed property below.

ISSUE	COMMENT	EXAMPLE
22. Inadequate validation of planning information submitted by applicant	Planning applications are validated and appear on the Portal, often with inadequate or missing information, for example: • Missing dimensions and levels • Poor quality drawings • Drainage information missing	Allways Land adj Nicholson Road
23. Failure inform the public about planning applications	Yellow site notices have not been displayed at a number of locations despite the Planning Portal indicating they have	Merida 39 Thatcher Avenue Allways Chill'd Out, Abbey Park