

## **Appendix D**

### **SUBMISSION TO MWG 25 April 2017**

#### **Our contact with planning service:**

- Used the planning service since October 2013 till present date since neighbours started building works without planning permission. Also dealt with other applications along our road.
- Spoken to officers by telephone to confirm/query issues.
- Used online web forms.
- Visited Barnet House to request and purchase plans.
- Commented on neighbouring and local applications that we regarded as having significant impact on us, other residents and the local area.
- Made representations at planning committee meetings in regard to our objections.
- Corresponded by email and letters for planning applications and enforcement complaints.
- Observed other planning applications/enforcement investigations in Barnet and their outcomes.

#### **Our views of our experiences with planning service:**

##### **Telephone Service - Satisfactory.**

However, officers do not always return calls and are not in office and do not respond to messages left with colleagues.

##### **Reception on planning floor at Barnet House – Excellent**

##### **On Duty Planning officers at Barnet House – Helpful**

##### **Email responses - Unsatisfactory.**

Response times for follow-up queries or clarifications are not within the council's time frame for replies.

Responses are sometimes vague and do not address the issues raised.

##### **Access to planning service – Needs to be available to all residents.**

Planning system is not user friendly to residents without computer access. Neighbours not notified in writing of new amended plans submitted for consideration. Residents routinely attend planning committee meeting with no knowledge of amended plans.

##### **Assessments of planning applications/enforcement cases – Poor.**

1. Inconsistent standards assessing applications that tend to favour developers and buy to let landlords.

2. History of property and applications submitted previously are not stringently considered and some times not even considered.
3. The view that minor breaches do not cause significant harm is regularly taken. These are not prosecuted and allow applicants to carry on with their building or to keep their building works.
4. Many facts and plans are not scrutinised proficiently; when omissions and mistakes are highlighted by objectors, they are still overlooked or dismissed.
5. Correct and sufficient information is not given to the planning committee. Many members have no access to all objection comments submitted and cursorily follow the officer's recommendations. Amendments published late on the day of the committee meeting give an unfair advantage to the applicants as these late amendments cannot be reasonably considered or rebutted by objectors who are not present.
6. Our experience of planning is that the developments approved only benefit the owner of the application property (usually a buy to let investor landlord) and not the local community. The developments also do not support the provision of local infrastructure. They are built at the cost to the residents' outlook and amenities.

#### **Enforcement – Unacceptable standard**

1. Understaffed: Only 4 or 5 enforcement officers for the whole of Barnet. Residents have to live with breaches whilst waiting for decisions and actions from enforcement officers. Enforcement officers left or transferred from department and no replacement found or notified to residents. Enforcement cases left stagnating or unattended.
2. Conditions to approved applications do not protect the residents or the local area if owners of approved applications do not complete their build and do not fulfil their conditions once development has been built, sold or rented. (Parking and Bin storage are commonly lacking and affects the public and neighbours the most.)
3. Statistics for successful enforcement are derived from individual homeowners who have stepped slightly out of line in regard to planning breaches, not serial offenders who do the most damage to local communities by breaching more regulations than most.
4. They also come from authorisation of breaches deemed minor to the council but were considered by neighbouring residents as significant enough to complain to the council. For example: A new window not in approved plans has been considered a minor breach requiring no action. That allows developer to install a bathroom in order to increase the facilities to house more tenants, contributing to overcrowding of a studio flat.
5. Prosecutions are rare because council veers away from strictly implementing conditions planning officers have set when approving applications.
6. Appeals to Planning Inspectorate by applicants are not challenged by Council who do not send further comments to support their refusal of planning permission.

7. Investigations are also closed with no update to the persons who reported them so no one is aware of the results of the investigation.
8. A climate of easy approvals and lax enforcement has attracted more developers and owners to contravene building and planning regulations in Barnet.

**Within a radius of 150m from our property, there are eight enforcement investigations at various stages of investigations:**

ENF/01505/16 | Breach of Condition | 112 Station Road London NW4 3SN opened November 2016 follow up to ENF/00883/15 | Breach of Condition | 112 Station Road London NW4 3SN opened July 2015

ENF/01044/16 Beds in Shed (closed without reasons given) Council Tax Query please investigate, needs further investigation.

ENF/01282/15 | Use of the property as a House in Multiple Occupation (HMO) | 131 Station Road London NW4 4NJ reported October 2015

ENF/01141/16 | Construction of a Rear Extension and Loft Conversion | 131 Station Road London NW4 4NJ reported September 2016

ENF/01510/16 | Outbuilding Used as a Habitable Dwelling | 131 Station Road London NW4 4NJ reported November 2016

ENF/01454/16 | Demolition of Property | 71 Vivian Avenue London NW4 3XE reported November 2016

ENF/01293/16 | Builders Yard and Structures in Garden | 6 Neeld Crescent London NW4 3RR reported October 2016

ENF/00228/17 | Erection of a Rear Extension without the Consent of Planning Permission | Flats 1 And 2 101 Station Road London NW4 4NT reported February 2017

Some of the above current enforcement investigations are at properties where there is history of previous investigations or involve developers who have enforcement investigations on other properties they own, manage or develop.

**Changes we as residents would like to see:**

1. Adequate levels of staffing and resources to deal effectively with the flood of applications and enforcement.
2. Proper training of all staff. So many new and young 'fresh out of university' officers from out of Barnet are being recruited in the recent months. There may also be a depletion of senior staff that has affected the speed and quality of processing applications. Experienced officers required to replace exodus to other councils.
3. Improved quality and standard of work of planning officers. The evidence of building works that have been carried out not in accordance to approved plans, if visible to the neighbouring residents, must be picked up by case officers. Due diligence by

cross-referencing and a commitment to follow up on observations from complainants must take precedence over what is presented by applicants. Extra care must be given to applications from professional developers who have no excuse to knowingly breach rules or regulations.

4. Robust and stringent scrutiny of applications. Verification processes of suspicious applications must ensure that what is declared and presented for consideration is beyond dispute. It is also not the onus of the neighbouring residents to prove the application is incorrect. The planning department has the means and authority to verify what has been presented. (Land registry, visits to measure and document, previous plans for comparison, historical records.)
5. Omissions and mistakes from applicants must not be allowed to unjustly skew the suitability of proposed developments.
6. Fair and transparent decisions to protect the green garden spaces and outlook and amenities of neighbours rather than chasing the provision of housing which is not for the residents but for private overseas investors or very transient tenant population.
7. Persons declaring a conflict of interest with applicants or site must not be allowed to participate in the planning decision.
8. Improved time scale for dealing with enforcement cases.
9. Improved timescale for delivering decision notices after committee meetings.
10. Stricter application of planning obligations when dealing with retrospective applications. Regularising every breach as minor is giving people the wrong idea.
11. Improved communication to interested parties of any updates, amendments and decisions to applications, bearing in mind that not everyone has a computer at home or is able to get online elsewhere.

We would be happy to give specific details of properties and applications/investigations on which we have based our experiences.

We also give notice that one of us would like the opportunity to address the Members at the meeting on 25 April 2017.