

## **How to comment on or object to a planning application:**

**NB: The Wimbledon Society does not give specific advice on particular planning applications. These notes are for general guidance only and are given without liability on the part of the Wimbledon Society.**

### **1. Initial considerations:**

- Planning applications can cover all types of buildings, structures, changes of use and even trees; the applicant can range from an individual through to a major corporation or an agent; their scope covers everything from building a new garage to the complete demolition and rebuilding of a site. It is essential that you read a planning application thoroughly so you can understand clearly what is being proposed as top line descriptions can be very misleading.
- If you are the applicant, then you should talk to your neighbours and those affected by your proposed works, preferably before the application is made. Tell them how the works will be carried out and managed to minimise disruption – noise, dust, parking, deliveries, traffic etc.
- If you are the affected neighbours, you should fully engage with the applicant so they understand your concerns and can introduce early changes to mitigate them before the planning application is submitted.
- You may wish to employ a planning consultant because they deal with such issues every day whereas for you it may be once in a lifetime.

### **2. How to find a Planning Application:**

- All planning applications – current and historic (since 2008) – are published in full on the Merton Council website. You can access the Planning Explorer via this link.  
<https://planning.merton.gov.uk/Northgate/PlanningExplorerAA/GeneralSearch.aspx>
- The Planning Department reference will be in a format such as 24/P1234 or 24/T2345. The letter “T” indicates a Tree Works application: all others have the letter “P”.
- If you know the Planning Department reference, just enter it in the “Application Number” field and press “Search”.
- The next page shows the site address and description of the proposed works. If this is the application you want, click on the green Application Number reference.
- The next page shows more information, including a summary of the progress of the application. To access all the documents filed by the applicant, trawl to the bottom of the page and click on “View Related Documents”, the first line of the links in green.
- If you do not you know the Planning Department reference, you can search on the street name. You’ll then have to trawl through multiple entries, but these are generally chronological with the most recent first.

- The Council notifies properties near the planning application site by post although this can be quite a restricted circulation. In Conservation Areas a Notice has to be displayed outside the site.

### 3. Understanding the London Borough of Merton's Planning Process:

- The Council allows **3 weeks** for objections. The deadline for making representations will be shown at "Comments until" on the first page of details in the Planning Explorer.
- Tree Works applications are generally decided quickly. But other applications can take much longer and are often decided well after the "Comments until" date.
- The Council will still accept representations after the "Comments until" date, so long as no decision has been taken on the application. However, you cannot know when that will be...
- So, if you feel that the proposed works are unacceptable, **don't delay**.
- Speak to neighbours who may be similarly affected by the proposed works.
- Contact your local ward councillors or Residents' Association.
- Draft and despatch your letter of objection (see 4 below)
- The Council takes into account the number of people lodging objections so encourage your neighbours to submit objections as well. They should make similar points but not use your exact words, as multiple identical letters will only be counted once.
- The Council delegates most applications to Council officers for decision and only major cases are referred to the Council's Development & Planning Applications Committee (DPAC).
- If the application relates to a property within a Conservation Area, additional policies will apply e.g. in relation to trees and the appearance of the proposals from the street, but if you have concerns you should raise them, do not assume that you will have automatic protection.
- Merton Council no longer publish letters of objection from individuals due to data protection issues. However, letters from organisations like Residents' Associations and the Wimbledon Society are usually contained within the accompanying papers on the website. If you do wish to read all submissions, then you can arrange to inspect them at the Merton Civic Centre in Morden.

### 4. What are the grounds for an objection?

- If you do not want a planning application to be approved, or if you wish to have it amended, you must register your objection.
- Be aware that the company / person proposing the work may well have been in discussion with borough planning officers before the application - this will tend to be the case if the applicant is a property company.
- Confidential pre-app discussions take place often over many months between developers, architects and officers, and this is the time when adjustments are often made to proposals. Unless the developer makes contact with residents, they may simply not be aware until the formal application is made, so the key is to be alert to any signs of activity, and if you are

concerned contact your local councillor who should be able to find out if pre-app discussions are taking place, although not the content.

- Merton's planning policies are set out in the Local Plan. The current one can be accessed at: [https://www.merton.gov.uk/system/files?file=merton\\_sites\\_and\\_policies\\_part\\_1\\_policies\\_jul14.pdf](https://www.merton.gov.uk/system/files?file=merton_sites_and_policies_part_1_policies_jul14.pdf) A new Local Plan has been drafted and may be adopted later in 2024.
- A key policy is in the section on building design. Policy DM D2 (a) sets out the criteria that all proposals for development will be expected to meet.
- Merton's planning policies have to conform to the GLA's policies in the London Plan: [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)
- They must also conform to national guidance.
- A refusal of planning permission must be based on valid planning reasons: for instance, that the proposal is contrary to particular policies. Development is often approved even when objections have been received.
- Planning officers may seek improvements to a proposal in response to representations and this may result in the application being revised before it is determined.
- If you send a letter of objection, ensure that you include your name and address as it will not be accepted without these.

If you wish to raise an objection to a planning application, the following are considered valid issues to raise:

- Layout
- Scale and height
- Density
- Materials
- Detail
- Streetscape / appearance / relation to local character - appearance is not an issue in its own right, however, how it fits into the existing streetscape is.
- Loss of light or overshadowing
- Overlooking/loss of privacy
- Visual amenity (but not loss of private view)
- Effect on Listed Buildings and Conservation Areas
- Loss of trees
- Landscaping and biodiversity
- Archaeology
- Energy: Solar Panels
- Design, appearance, and materials
- Disabled persons' access
- Noise and disturbance resulting from use
- Inappropriate use
- Single aspect layout
- Adequacy of parking/loading/turning
- Adequacy of rubbish facilities

- Road access; particularly safety implications
- Highway safety
- Traffic generation
- Access for emergency vehicles
- Hazardous materials
- Smells
- Local, strategic, regional, and national planning policies
- Government circulars, orders, and statutory instruments
- Compensation and awards of costs against the council at public enquiries
- Proposals in the Local Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation. If you are aware that there are protected species (bats, swifts etc...) on the site, bear in mind that the Planning Department does not have a dedicated Biodiversity Officer, and there is no guarantee that the Case Officer will be aware of the species' presence, so it is useful to contact the officer as soon as you are aware that an application has been or is about to be made and let them know (the developer can be asked to pay for an independent assessment)

Do **NOT** discuss the following matters in your objection as the local planning authority cannot, and therefore will not, take them into account:

- Any perceived loss of property value
- Private disputes between neighbours
- The loss of a view
- The impact of construction work
- Restrictive covenants
- Ownership disputes over rights of way
- Fence lines
- Personal morals or views about the applicant

## **5. Presenting your case at the Planning Application Committee:**

- If the application to which you have objected is referred to the Development & Planning Application Committee (DPAC) you may be invited to speak at the meeting where the application will be considered. Be aware that you need to register to speak and have to do so by noon three clear working days before the committee date.
- If more than two residents wish to speak on an application, the chair will make the choice unless you agree beforehand and only put forward two speakers. Only two selected objectors are allowed to speak and are allocated 3 minutes each.
- If two of you are objecting, you need to co-ordinate your speeches so that you do not contradict or duplicate one another – remember to be clear and concise when presenting. It is also worth practising your speech to make sure you keep to the time limits as they are strictly operated.

- It can be useful to contact the developers beforehand to discuss your relative points of view and try to reach some consensus.
- If you have extra supporting evidence / details then it may be effective to email this direct to those councillors who are sitting on the Planning Committee Meeting to ensure that they have seen this before the meeting as not all extra paperwork is circulated to them by the council officers. A Council protocol says that only in exceptional circumstances will documents sent directly to committee members be admitted in evidence, but, historically, photographs, diagrams and CGIs have been very effective at conveying an issue and you may find that it is still worth sending these both to planning representations, and (a week or so before the committee meeting, if something is going to committee) to the committee members directly to ensure that they see them.

Wimbledon Society Planning & Environment Committee  
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