

Email exchange between applicant and Ms Alexandra McDougall, Principal Planning & Enforcement Team Leader

Please read in reverse order as the oldest email is at the bottom and the newest at the top.

Although the applicant had not formally made a complaint, he had merely drawn the matter to the attention of Paul Satoor, CEO of the council, noting the imminent reversal and last-minute corruption of the Planning Officer's clearly documented intended route to the Planning Committee. The council treated this correspondence as a complaint, and this document represents the first stage of that process.

Ms McDougall sets out her findings, and the applicant provides his response.

Ms McDougall states that her investigation has been based on a discussion with the planning officer and appears to have then taken her word for the course of events. Why didn't she go through the file, including all of the email communications between the applicant and the officer, to validate this story? Why has she not gone through the plans and carried out an on-site survey at the property? What was her mandate for her investigation into the complaint? Was it a proper and thorough investigation of the complaint?

She makes a comment that Sarah had been clear to the applicant that due to the number of objections, the application would need to be determined by the Planning Committee. As we know, it never got there, as that route was corrupted. As an aside, all communications with the Planning Officer are via email, and we can't find where she does make this clear, so finding this is a "Pepsi challenge" for our readers!!

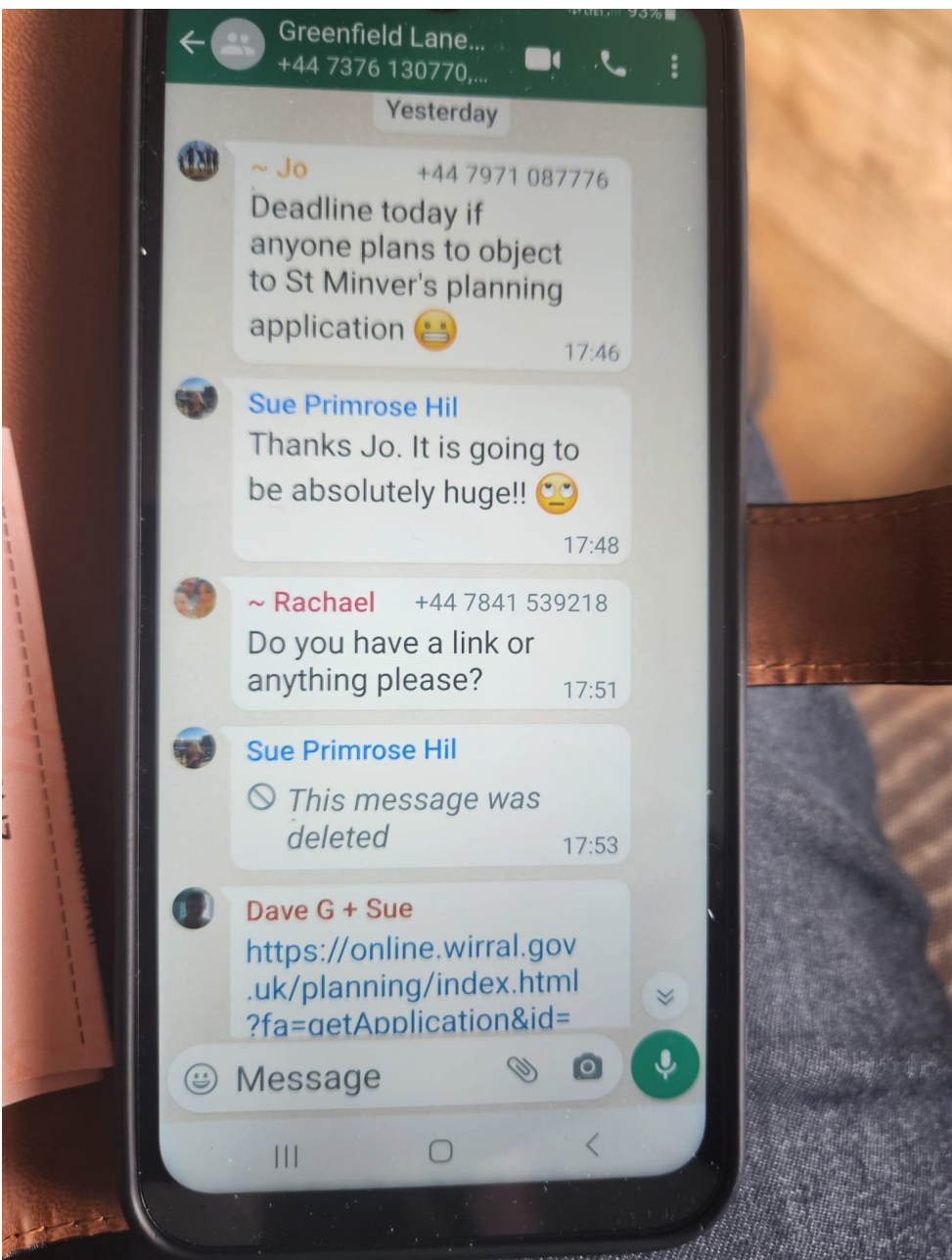
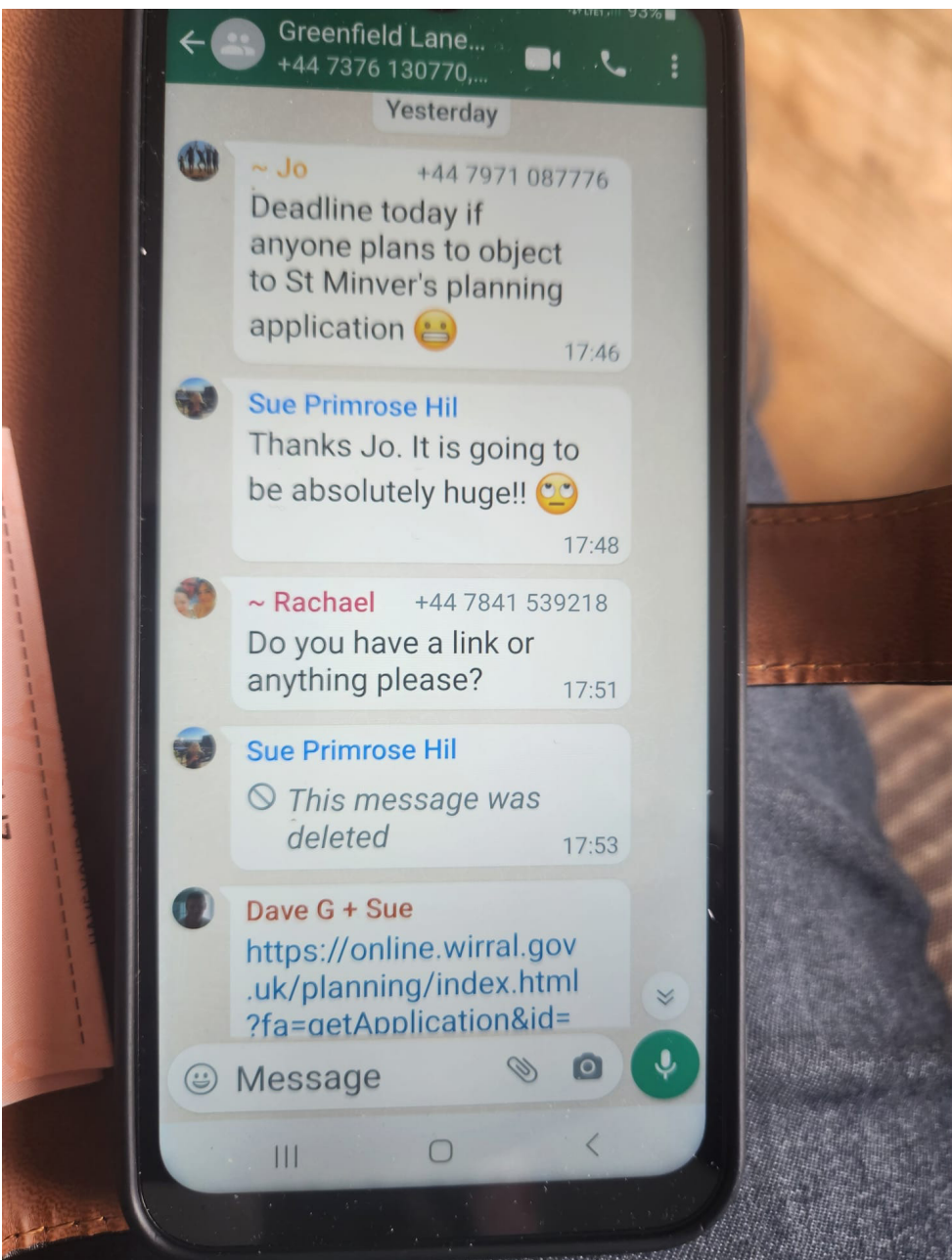
It is noteworthy that Ms McDougall re-states the volume of objections from neighbours, so this was clearly discussed. But did the planning officer also tell Ms McDougall that the applicant had provided evidence of incitement by neighbours to object to the planning application, and another volunteering to help people with filing their objections on the Council website, with one neighbour stating that "she was happy to object if they wanted her to"? This evidence was provided in the form of WhatsApp messages on a WhatsApp group and can be seen in the report at the end of the email exchange between the applicant and the planning officer.

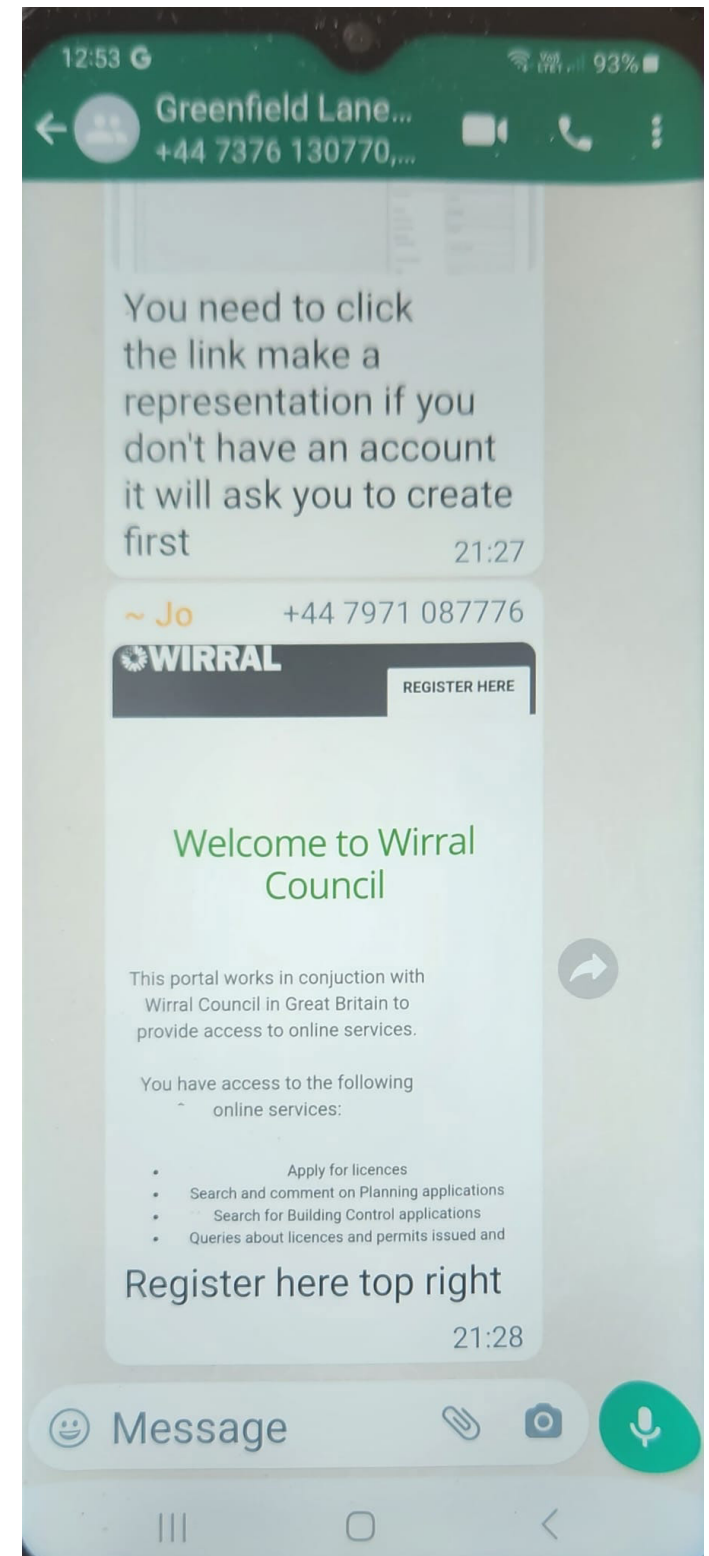
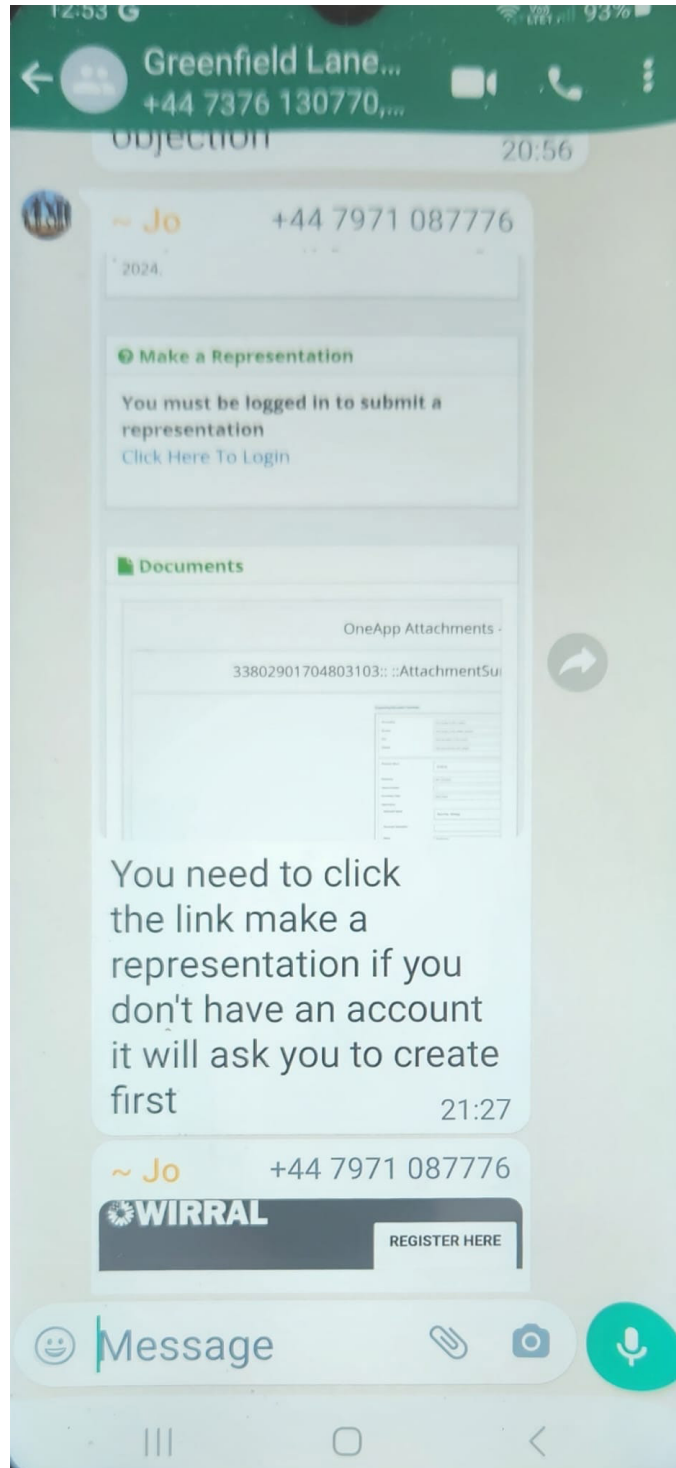
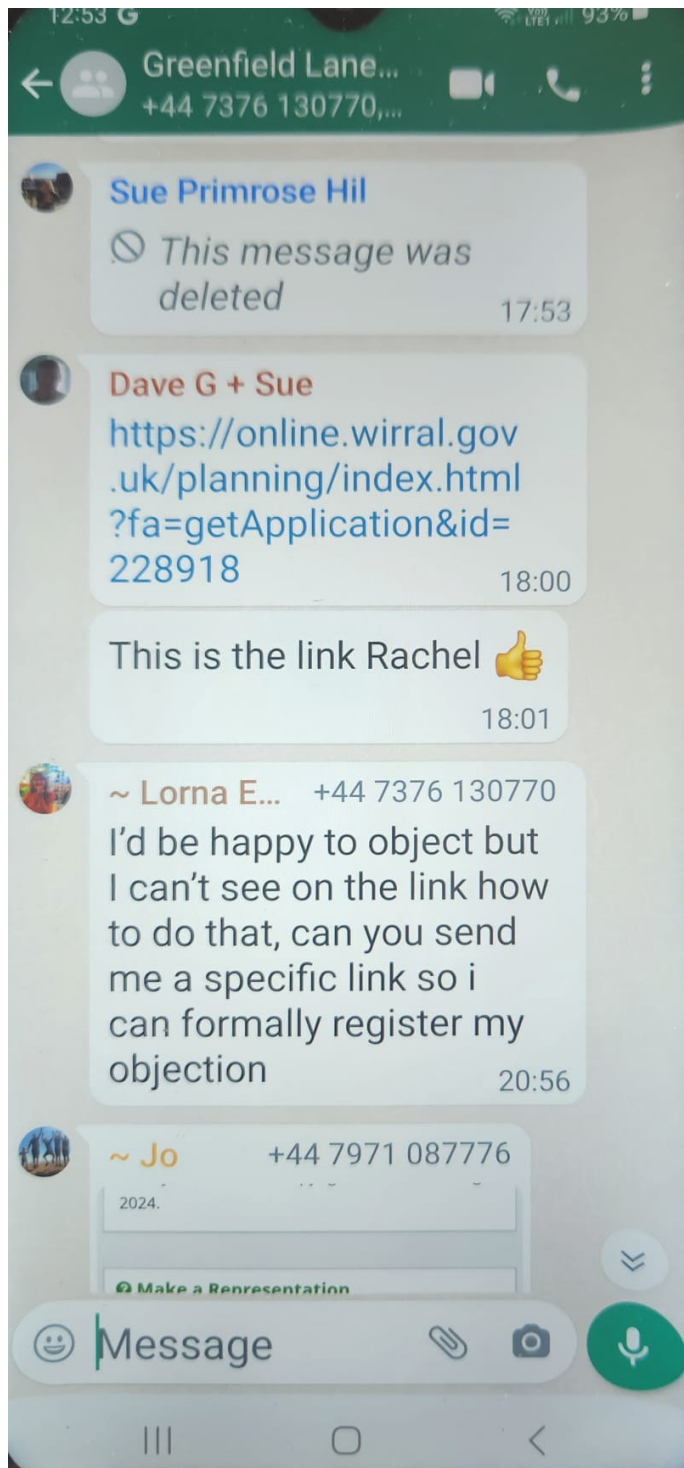
If the planning officer did not state this in their discussion, then why didn't she? And if she did, then why did Ms McDougall not see the 16 objections for what they are? Did Ms McDougall, in her investigation, look into which properties these objections came from and determine that most properties can't even see the applicant's house and are not affected by it? Did Ms McDougall not read the 50+ page response to the objections that the applicants had submitted to the planning officer at the outset, as part of her 'complaint' investigation?

Did the planning officer also make Ms McDougall aware of the dead, dying, and dangerous 90ft high tree backed by the first tree report, which many neighbours wanted to remain in situ? And question what their motivations were for wanting to leave a dead or dying tree supported at the time with just one tree report (and later by another), while now objecting to the planning application on a property they can't see from their own and that doesn't affect them? What is this really all about?

We ask the reader to ask themselves: how in-depth was this investigation into the 'complaint'? What was her mandate, and was it just another part of a cover-up? And why wasn't there a visit to check and verify the plans on-site? Do any of the stated Planning Officer's comments in her discussion with Ms McDougall align with anything and everything that the planning officer has put in her email exchange with the applicant, which, apart from the on-site visit, was the only communication between the Planning Officer and the Applicant?

The applicant's response includes a document evidencing the entirety of the email exchange with the planning officer, supported by a concise summary of the key points: that the plans/design are those of the planning officer, and lists the ten dates/times when the planning officer indicated that the intended route for a decision (now reinforced by her own comments in paragraph 3) was the Planning Committee. This route has been corrupted at the last minute, for which no explanation has been received, and the 'complaint' needs to be escalated.





Subject:**Date:** Tuesday, 26 November 2024 at 20:32:02 Greenwich Mean Time**From:****To:** McDougall, Alexandra K. <alexandramcdougall@wirral.gov.uk>**CC:** MP Planning Enq <mpplanningenq@wirral.gov.uk>, Corpserv-CustomerFeedback <customerfeedback@wirral.gov.uk>, Lewis, Mandy S. <mandylewis@wirral.gov.uk>, Satoor, Paul <paulsatoor@wirral.gov.uk>, Stuart, Paul C. (Councillor) <paulstuart@wirral.gov.uk> ,**Attachments:** Email correspondence between Sarah Lacey, Council Planning Officer ,

Dear Ms McDougall,

Thank you for your email below. I don't believe your response satisfies or covers all of the points that I have previously made to Ms Lewis and Mr Satoor.

My reply to the points you make is below. I believe I've answered them all, but please let me know if there are points that you think I've not replied to .

Also as you indicate , please escalate this to complaint Level 2 for the reasons stated below.

The plans / specifications are clearly Sarah's (this is evidenced below), and Sarah's documented intent to put the plans before the planning committee (also evidenced below) has been corrupted.

I'd also like to emphasise a point I made in my last email to Ms Lewis and Mr Satoor, where it has been suggested to me that Cllr Hodson has now found a way to reject plans that do not meet with his personal criteria or agenda. If you read the following link you will see, following his objection to another application in Heswall, he was subsequently then outvoted 7 to 1 <https://www.wirralglobe.co.uk/news/24642706.heswall-home-extensions-get-approved-despite-neighbour-row/> . There are some telling points in the article made by other Councillors on the planning committee.

I draw your attention to the attached document which is the email exchange between Sarah, my architect and myself which is in reverse chronological order. Page 61 onwards details my "original response" to Sarah's initial email re the original extension. This answers a no. of points in your email below regarding the racist behaviour of some of our neighbours towards us , and how they have treated us differently over the removal of a dying , dangerous and potentially fatal tree (I had 2 separate surveys / reports carried out which both condemned it) , whereas the same neighbours haven't said or acted when white families have trees cut down which have not had tree surveys (one of which was actually the "sister" tree to the one we had the tree survey / reports on) . It also states how my wife had the door slammed in her face when she went to discuss the plans with one neighbour and how another neighbour didn't bother to turn up to a meeting to discuss the plans. A meeting that he had organised. This "original response" also points out this is the same behaviour mentioned in John Barnes's book The Uncomfortable Truth about Racism" and this Guardian article <https://www.theguardian.com/books/2017/jun/03/why-no-long-talking-white-people-review-race-reni-eddo-lodge-racism>. I welcome any explanation from the neighbours as to why they were so resistant to a dead / dying tree (supported by tree surveys / reports) being cut down and made safe, but made no objections when the 'sister' tree was cut down , nor other large trees in the immediate vicinity.

Dog faeces have been left at the entrance to our drive (witnessed) and thrown into our garden, though one of the objectors at least had the honesty to tell me to my face that 'we don't like your sort around here' with 3 witnesses present.

The "original response" also refers to other properties within 200 metres (one is 3 houses away) which are larger in proportion, nearer to their boundaries etc. than my original proposal, to which Sarah responded that all applications have to be treated on a case by case basis. I'm not sure that the ECHR would agree with that, but we were prepared to go along with Sarah's specification (which we are delighted with and is stunning btw). I also draw your attention to the neighbours Group Whatsapp messages in the "original response". Please read this document.

"Who's plans are they anyway"

- The gist of most of your response is that they are my plans / specification and that Sarah will support it. Yet the evidence in the emails messages proves this is not the case and that it is Sarah's plan / specification. Reason, logic and rationale also dictate that it is not possible for any planning officer, anywhere in the UK, to support plans that do not comply with 'the rules'. It is common sense that any Planning Officer would know better to support and approve plans that do not meet regulations and policies.

I draw your attention to an email from myself to Sarah on April 22, 2024 10:35 AM, prior to the site visit, which states (please note typing / spellchecking wasn't my strongest skill on this day!



I would be useful to have your thoughts on a compromise before our meeting so that we can think about these before we meet. Our main requirements for the extension are:
A first floor kitchen / dining / family room as the existing one is not large enough to support a property that has 6 bedrooms. First floor as it benefits from the views for a room where most of the time is spent. This isn't the only what I would call 'design flaw' in the existing property which I'm trying to address with the extension.
A 'balanced roof' as outlined in the proposal. The current roofline is positively 'ugly'

Sarah replies on April 22, 2024 11:28 AM

I am happy with the proposed pitched roof above the existing flat roof. I am also open to the potential of this roofspace incorporating front and rear dormer windows if the design is appropriate, but please be aware new additions to the proposal would require further neighbour notification.

If you wish to amend the plans we need to reduce the scale and proximity of the extension to the south boundary, to significantly lessen the impact on the rear garden and windows of [REDACTED]. If the proposal was single-storey I think the proposal would likely be acceptable in close proximity, but I need to see amended plans before I can confirm this. This staggered appearance would also appear more acceptable when viewed from the streetscene, similar to the CGI image from [REDACTED] you included in your representation (pg. 26).

If you require additional first-floor space I would suggest exploring the potential for a 1.5 storey side extension which is set approximately 5m off the boundary to achieve the 14m separation distance, reducing to single-storey to the rear of the property. This would reduce the overbearing impact to the neighbouring garden, again I would need to see

amended plans before I can confirm this is acceptable. Balconies are acceptable if you can demonstrate there is no additional overlooking to neighbours.

Alternatively a two-storey or three-storey extension to the rear of the existing property is another option you may wish to consider as there are good separation distances to the property to the rear.

Following the site visit, where Sarah marked out the areas where the extension could be and explicitly told us in exact details, the dimensions and specification that we could have (which is pretty much what she specifies in her email above). Sarah then emails me on June 3, 2024 2:27:03 PM

Hope you are both well. Following on from our site meeting, I'm just checking you want to proceed with the above planning application and wish to submit amended plans as discussed?

The previously agreed EOT is about to expire, please can we agree a further Extension of Time until 19 July 2024?

I then reply on 3 Jun 2024 at 14:46

Hi Sarah , yes very well thanks and trust all is good with you also.

Yes, please extend . We are looking to submit based on your recommendations.. work and travel has just delayed slightly.

Thanks for your patience and you should have a submission from [REDACTED] this week or early next.

I think this puts to rest whose plan / specification this is, and it has to be stated - We would never have come up with the 1.5 side storey extension on the right of the building, nor extending the property back into the rear garden which Sarah proposes in her first email. It is beyond doubt that this is Sarah's plan to her specification.

Final Decision - The Planning Committee

There are many of references throughout the email exchange where Sarah documents that the only course, and ultimate decision, is that planning application will go to the planning committee

- In an email from Sarah, on April 17, 2024 11:46:47, Sarah emails "... Because of the elections there is no Planning Committee in May, the next available Committee date is 6th June.
- On July 3, 2024 5:44 PM, Sarah emails "I can argue in the Committee report...."
- On 05 September 2024 16:47, Sarah emails "... as we have discussed that I am happy to recommend for approval to the next available Planning Committee (7th November 2024) following a second public consultation".
- On September 10, 2024 4:11:18 PM, Sarah emails " I'll renotify the neighbours and we'll take the application to November Planning Committee with a recommendation for approval (the final decision will lie with Planning Committee).

- On 25 Sept 2024 at 11:42 she emails “I need to send the neighbour letters out today to meet the Committee closing deadline”
- On, 25 Sep 2024 at 17:04, Sarah emails “I’ve changed the description and TSU are in the process of sending out the neighbour letters, so we are still on track for November Committee”
- On October 1, 2024 9:31 AM Sarah emails “Thank you [REDACTED] [Architect] . The neighbour letters went out last week so we can still make the November Committee. No further comments received yet”
- On October 14, 2024 12:23:40 PM Sarah emails “Committee closing is this week and I need to have all the information together by Wednesday 16th October at the latest. Thank you.
- Also, on 14 Oct 2024 at 14:19 Sarah emails “In my committee report I have to summarise all the representations received”
- On 15 Oct 2024 at 12:02 Sarah emails “Committee will want to know the distance from the boundary”

The above is clear evidence that throughout the entirety of the planning application period and process, the presentation of the planning application to the planning committee (with recommendation for approval) was the sole, exclusive, pre-meditated and only projected destination where the final decision would be made. I really don’t know how much clearer I can make this point. With so many references to the Committee throughout the entirety of the email exchange over the length of the application, this is beyond all doubt.

It is also beyond doubt that this clearly intended destination to the committee had its route corrupted (by person or persons as yet unknown and for reasons only known to themselves) just 2 days before the committee meeting on the 7th November.

The application was then refused on the 6th November the day before the committee meeting, by as stated above, person or persons as yet unknown.

I trust you agree , this is deeply, deeply suspicious, and it cannot be emphasised just how deeply suspicious this is.

In my emails to Ms Lewis and Mr Satoor, I raised a number of anomalies, and if you read all of the documents and the attached email exchange, you will find others.

I look forward to hearing from you regarding the escalation to stage 2 of this complaint and also politely ask if you could send me a copy of the entire complaint process through all of its stages.

In my last email to Mr Satoor and Ms Lewis , I suggested that the most sensible solution would be to put the application to the planning committee along with the email exchange between Sarah and myself as well as the email exchanges that I have made to Mr Satoor, Ms Lewis and Cllr Stuart. I look forward to a response on this suggestion.

Yours Sincerely,

From: McDougall, Alexandra K. <alexandramcdougall@wirral.gov.uk>

Sent: 18 November 2024 14:58

To:

Cc: MP Planning Enq <mpplanningenq@wirral.gov.uk>; Corpserve-CustomerFeedback <customerfeedback@wirral.gov.uk>

Subject:

You don't often get email from alexandramcdougall@wirral.gov.uk. [Learn why this is important](#)
Dear

Thank you for your email.

Your complaint has been registered under stage 1 of the Council's complaints procedure under reference . This email constitutes the Council's formal response under stage 1 of the procedure.

I have spoken with Sarah regarding the application and what happened during the process. When your application was first submitted, the proposed alterations to the existing dwelling were deemed to be unacceptable due to the excessive the scale of the extensions and the detrimental impact this would have on neighbouring properties and the street scene. In these circumstances we try to assist applicants to overcome reasons for refusal if amendments might reduce/eliminate any harm, rather than refusal applications without warning. During the application determination period, Sarah did, as you have said, advise that amendments were necessary to get the proposed development to a point that she felt she could recommend approval rather than refusal.

Sarah suggested these amendments in good faith to enable her to recommend support for the application and I note that Sarah accommodated a site meeting with you and your agent to discuss the issues with the scheme as originally submitted. Sarah was also clear in her communication with you that the scheme had attracted a significant level of objection, which had triggered a requirement for the application to be determined by Planning Committee, if recommended for approval. Following receipt of the amended drawings, at no point did Sarah give any assurances that the application would be approved, only that in her professional view she would recommend approval of the application given that, on balance, she considered the harm to neighbouring properties caused by the original scheme had been alleviated by the amendments. Sarah also advised that the final decision does not rest solely with the case officer.

The role of a case officer is to assess a planning application and put forward a recommendation for approval or refusal, which is then reviewed by a Senior officer before a final decision is made. This ensures consistency and transparency in our processes. In the majority of instances, the case officer's recommendation is upheld but in this case the issues were found to be finely balanced. When Sarah's recommendation for approval was reviewed by the Senior Officer preparing reports for the next Planning Committee meeting, the Senior officer was not convinced that the amendments made, per Sarah's suggestions, overcame the concerns of how the development would impact the neighbouring properties and the character of the area due to its scale and design. These concerns were also raised in light of a very recent Planning Appeal decision () relating to a

neighbouring property () which the Senior Officer had been involved with. In that appeal decision the Planning Inspector considered the impact of proposed increase in the scale of that property. The Inspector also commented that your property, found the height and massing of to be dominant in relation to the surrounding built form (before any extensions have been built). The recommendation to approve your application (as amended) was therefore not supported and was passed back to Sarah to write up for refusal.

I am sorry to hear of the experiences you reference in your email with regards any potentially racist behaviour from local residents. The Planning system sets out that we must have due regard to all comments received in relation to a planning application. As you are aware, your application attracted a significant number of representations from the public and all of these representations are clearly summarised and addressed in the case report, which you can find published online here: <https://online.wirral.gov.uk/planning/index.html?fa=getApplication&id=228918>. Your application has been determined based on its compliance or otherwise with the Council's Development Plan (Unitary Development Plan) and in light of all other material planning considerations. There has been no undue influence involved in the decision to refuse planning permission for the development proposed in your application and I do not agree with any suggestion to the contrary.

We take allegations such as this very seriously and I invite you to submit an evidence that may corroborate your allegations of other influences, if you have any.

I trust my response addresses the issues you have raised. If you remain dissatisfied with my response you may request that your complaint be escalated to stage 2 of the complaints procedure, where my response will be reviewed by a senior officer from another department within the Council. If you do request that your complaint be escalated, please set out clearly why you remain dissatisfied and please avoid introducing new issues which are not covered in your initial complaint below.

Kind regards,

Miss Alexandra McDougall
Principal Planning & Enforcement Team Leader

Regeneration and Place Directorate
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CH27 9FQ

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