



To: Ms C Knowles - Investigator
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**Monks Orchard Residents' Association
Planning**

30th December 2020

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Reference Cases ID 20 008 119 & 20 003 522

Dear Ms Knowles

Further to your draft report of **9th December** inviting comments on **case ID's 20 008 119 & 20 003 522** for which you have requested comments by **4th January 2021**, I offer the following detailed comments. As the **MORA** comments to both your drafts are **virtually identical**, I have combined our response into a single representation for both yours and our convenience.

I refer you to the **London Borough of Croydon Planning Constitution Section 4k at para 1.2, para 1.3 and Section 5 para 5.1 reproduced as follows:**

1.2 The determination of planning applications is a formal statutory administrative process involving the application of national, regional and local planning policies that takes place within a legislative framework. Planning decisions can be appealed by unsuccessful applicants and challenged by way of judicial review by aggrieved parties. Complaints about maladministration and injustice can also be made to the Local Government Ombudsman.

1.3 In order to mitigate these risks, it is vital that those involved in the **determination of planning applications** and particularly officers and Members, at all times act reasonably and fairly to applicants, supporters and objectors. These rules are designed to help ensure this is achieved but they should not be read in isolation; Members need to also have regard to the **Planning Code of Good Practice** to be found at **Part 5D** of this Constitution. Both these Rules and the **Planning Code of Good Practice** are subordinate to the requirements set out in the **Members' Code of Conduct** and nothing in these Rules or the Code shall be read as implying greater obligations on Members than as set out in the **Members' Code of Conduct in Part 5I** [1] (*and specifically para 2 of Part 5I*) of this Constitution.

5 REPORTS

5.1 Each planning application for decision is the subject of a written report with an officer recommendation. Reports will be produced in a standard form provided by the Director of Planning and Strategic Transport, and will identify and analyse the material considerations, of which the Committee need to take account when considering the application on the planning merits.

[1] See: <https://www.croydon.gov.uk/sites/default/files/articles/downloads/Part%205I%20-%20Members%20Code%20of%20Conduct.pdf>

You state in your email: “*So, while I note the various points you have made about the planning application and your view that these are all valid complaints to be pursued, the focus of my investigation has necessarily been on those matters which relate to the claimed personal injustice / impact on personal amenity of the complainant.*”

By focusing on the claimed “**personal injustice/impact on personal amenity of the complainants**”, you have totally disregarded our original **MORA Stages 1 & 2 complaints** to the **Local Planning Authority (LPA)** and the substance of our original complaint to the **LGO**.

We understood that in order to get our complaint considered by the LGO we needed consent of local effected residents, but it was not appreciated that their consent would override our basic original complaint, as you have disregarded all the previous history of our complaint and responded only to the local residents’ injustices.

Although the claimed personal injustices are important, the claimants **fully supported** the original **MORA Stage 1 & 2 Complaints** to the LPA and supported our **escalation to the LGO**. Your focus therefore, precludes our initial complaint which is the **fundamental reason for the complaint to the LPA at Stages 1 and 2 and the escalation to the Local Government Ombudsman**. We think this is fundamentally wrong in principle and completely disregards the detailed history of our case and the reasons and justification for the complaints which were against clear identified incidents of case officer maladministration.

Para 1.2 of the Croydon Planning Constitution clearly indicates that Complaints about **maladministration and injustice** can be made to the **Local Government Ombudsman**. It does **NOT** preclude complaints from **Residents' Associations**. If the **LGO** doesn't fully investigate these issues when conclusive evidence is provided, why does Croydon constitution infer that this is an appropriate procedure, and if not pursued by the **LGO**, **who does pursue them?** Are LPA's immune from criticism from Residents' Associations?

I have analysed your Draft Reports for both **Cases ID 20 008 119 & 20 003 522**, and have the following combined detailed comments which, it is hoped, you will accept and thereby suitably modify your Report(s) accordingly as these comments are **significantly** important and are applicable equally to both your draft reports or for a separate report on the **MORA initial complaint**.

You have requested that our comments should reference the appropriate paragraphs of your draft report for ease of analysis. I have met that requirement and have additionally provided **BLUE text** for reference to **yours** and other **council information** with Black text for MORA comments and statements and also reference your paragraph title and paragraph number applicable.

How I considered this complaint

4 I considered **all the information submitted by [REDACTED]'s representative** about their complaints.

I regret to have to conclude that, although you profess to have considered “**ALL**” the information submitted by myself as **being both [REDACTED]'s Representative**, the analysis of that information precludes the original basis of our complaint which was provided in a very comprehensive submission on **13th August 2020** on ours and [REDACTED]'s behalf, the substance of which is **not** identified, or an assessment of your investigation provided, in your draft Reports for either **Case ID 20 008 119 or Case ID 20 003 522**.

Our assessment is that you have failed to acknowledge or investigate any of the issues raised in our **MORA Complaint submission of 13th August in support of all local residents and specifically [REDACTED]**. It is our understanding that complaints from a Residents' Association is only accepted by the LGO if supported by locally affected residents, who provide consenting documentation to support our complaint, which is what we have provided.

We were not aware that by obtaining consent from affected residents, it would preclude our original complaint from being investigated and assessed by the LGO.

Local residents are not expected to appreciate all the finer specific details of National and Local Planning Policies (National Planning Policy Framework NPPF, the London Plan or the Croydon Local Plan). As a Residents' Association, we take that responsibility on their behalf.

To disregard or misrepresent these planning policies has a detrimental effect on the whole local community. Your statement "*my investigation has necessarily been on those matters which relate to the claimed personal injustice / impact on personal amenity of the complainant*" is only covering part of the complaint and disregards our original Stage 1 & Stage 2 Complaints to the LPA. By what criterion necessitates the assessment and investigation relating to the subsequent claimed personal injustice, and precludes investigation of the primary reasons for our original complaint and its escalation to the Local Government Ombudsman via the designated procedure?

The MORA letter of the **13th August** contained numerous incidents of **non-compliance to planning policies**, including issues of **maladministration** and **illogical assumptions** which were fully documented with explanations, and significant detail, including at **Appendix A – Density and PTAL Calculations** and at **Appendix B – Parking Provision and Necessary Manoeuvres**; but **none** of these issues have been referenced, or considered as evidence provided in your investigation or referenced in your draft assessment reports. The Local Government Ombudsman surely cannot allow these "**material planning**" issues to go unchallenged and thus knowingly be complicit in the LPA's acts of maladministration, but then fail to investigate or assess the implications of the LPA's decisions who have behaved in a careless or dishonest way?

Our complaints are within the terms of the **Croydon Planning Constitution paragraph 1.2** (above) and as such are considered **appropriate for investigation** by the **Local Government Ombudsman (LGO)**. If the LGO declines to investigate, the Croydon Planning constitution needs changing; – if the **LGO declines to investigate these issues of maladministration, who should hold the LPA to account?**

I will document all these issues in the statements to follow as relating to your paragraph **15 Analysis** under the criteria of "**material planning reasons**".

Analysis

15 When considering a planning application, the Council can only take account of material planning considerations. Material considerations relate to the use and development of land in the public interest, and not to private considerations such as reduction in the value of a property. Material considerations include issues such as overlooking, traffic generation and noise. Local opposition for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.



Complaint #2:

"This development is within 35 metres of the Environment Agency Flood Map of the encroachment of the "Chaffinch Brook" which in the past has resulted in significant flooding downstream (Fairford Avenue & Monks Orchard School) of this locality as shown in the photos. Removal of vegetation and covering the area with 8 dwellings (at 16-18 Ash Tree Close) will increase the likelihood of local area surface water flooding downstream, including the effects of climate change."

We believe this is a **valid 'Material Planning' reason**, supported by the photographic evidence we provided in our submission which should have been considered. It is known that a tributary of the 'Chaffinch Brook' actually runs beneath some properties in **Ash Tree Way** and **Ash Tree Close**. We are of the view that this issue needs to be considered and addressed in your analysis and included in your report. We believe it was not adequately addressed or analysed by the case officer or by committee.

Analysis

20 The Ombudsman looks at procedural fault in how decisions have been made and does not consider planning appeals. My investigation cannot consider the merits of the decisions reached or the professional judgement of the officers, provided there has not been procedural fault. Before it made its decision in this case, the Council followed due process in considering the application and I find no evidence of fault contributing to any personal injustice to ([REDACTED]).

Procedural Fault:

Complaint #3:

What is the justification for the case officer ignoring the required guidance of **National Planning Policy (NPPF) para 122 –Achieving Appropriate Densities?**

The LPA Case Officer States at Para 8.7 of his report:

"8.7 The proposal results in an increased density on the site by eight additional residential units, all of which would be 3-bed, 5 person units. The scheme exceeds the density matrix (150-200hr/ha) as set out within the London Plan at approximately 300 habitable rooms per hectare. However, given suburban setting combined with the similar footprint, form and spacing of the proposed dwellings in comparison to the surrounding properties, the acute need for new homes and the fact that the site is very close to the intensification area of Shirley, it is considered an appropriate density for this site."

MORA response:

The statement - "The scheme exceeds the density matrix (150-200hr/ha) as set out within the London Plan at approximately 300 habitable rooms per hectare. However, given suburban setting combined with the similar footprint, form and spacing of the proposed dwellings in comparison to the surrounding properties, the acute need for new homes and the fact that the site is very close to the intensification area of Shirley, it (299.63hr/ha) is considered an appropriate density for this site" contains errors and misinformation to the planning committee members who base their assessment and determination on that advice, which it is clearly knowingly incorrect and a misleading 'procedural fault', and is, therefore, considered to be 'maladministration'.

Case officers are duty bound to impart unbiased interpretation of policies and their assessment of applications in their reports to committee. We will take these case officer's identified statements individually:

- a) *"The scheme exceeds the density matrix (150-200hr/ha) as set out within the London Plan at approximately 300 habitable rooms per hectare. "However, given suburban setting" (as it relates to the density matrix) ..."*

The Case Officer has acknowledged the appropriate Residential Density as defined in the **London Plan Policy 3.4 – Optimising housing potential** at **Table 3.2** should be in the range **150-200hr/ha** for a **suburban setting** at PTAL 1a. but the word "**However**" is inferring an alternative explanation. (see Density Matrix at Table 3.2 below). *The proposal is in a **suburban setting** and therefore the **Residential Density of ≈300hr/ha** is inappropriate).*

TfL WebCAT - Assessing Transport Connectivity in London – Public Transport Accessibility Level (PTAL).			
Table 3.2 Sustainable Residential Quality (SRQ) Density matrix (Habitable Rooms & Dwellings per hectare)			
Setting	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)	Public Transport Accessibility Level (PTAL)
	0 to 1 (1a=0.66)	2 to 3 (HD=2.83)	4 to 6 (RD=5.33)
Suburban	150–200 hr/ha (183hr/ha)	150–250 hr/ha	200–350 hr/ha (299.63hr/ha)
3.8–4.6 hr/unit (5hr/unit)	35–55 u/ha (48.2u/ha)	35–65 u/ha (59.93u/ha)	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Residential Density		299.63 hr/ha	
Residential Density		299.63 bed spaces/ha	
Housing Density		59.93 Units/ha	

However, the actual **Residential Density** is **40/0.1335hr/ha** equalling **299.63hr/ha** which requires a **Public Transport Accessibility (PTAL)** in the **range 4 to 6** for **suburban settings**.

The extract from Transport for London "WebCAT" – Assessing Transport Connectivity in London & for a **Suburban Setting**, Public Transport Access Level (PTAL) **London Plan Policy 3.4 Optimising Housing Potential – Table 3.2** (left) shows the approximate **Appropriate Densities** for this locality shown in **BLUE**, and the actual densities for the proposal shown in **RED**).

The Residential Density of **299.63hr/ha** at a **suburban setting** would require a **PTAL of 5.33** (in the **highest range of 4 to 6**) when the local **PTAL is 1a**.

(numerically ≡ to **0.66**) and the **TfL forecast** for this locality is to remain at **PTAL 1** until at least **2031**. A **Housing Density of 59.93 units/ha** would require a **PTAL of 2.83**. (in the range 2-3) when it should be in the range 0 to 1.

The case officer is ignoring the policy as defined; and is giving greater weight to the need for more homes which is also untrue as the strategic target for the Shirley 'Place' has already been significantly exceeded (See c. below).

- b) Thus, this statement by the case officer "*The scheme exceeds the density matrix (150-200hr/ha) as set out within the London Plan at approximately 300 habitable rooms per hectare. "However, given suburban setting" (as it relates to the density matrix) ...*" was false, giving inaccurate and inappropriate, guidance to committee members for their determination of the proposal – which is defined as 'maladministration'.

c) The quote "similar footprint, form and spacing of the proposed dwellings"

The proposed development comprises of **Two Blocks** of 4 terraced dwellings slightly offset, which do not reflect the **semi-detached immediate adjacent** and surrounding dwellings which have **substantial gardens and parking provision within the curtilage of their dwellings**.

Thus, this statement "similar footprint, form and spacing of the proposed dwellings" by the case officer was again **false**, giving inaccurate and inappropriate guidance to committee members for their determination of the proposal – which is defined as 'maladministration'.

d) The quote "acute need for new homes"

Croydon Plan Review (2019):

The Targets for new dwellings over the period **2019 to 2039** are set out in **The Strategic Forecast** for the **Croydon Local Plan Review (2019-2039)** which gives the target for the whole of the '**Shirley Place**' at between 360 to 460 units spread over the **20 years of the plan**, giving a yearly target of 18 to 23 units year-on-year which is an average of 20.5 dwellings per year.

Croydon Plan Review 2019 - 2039 (at 2019)	
Homes by Place (2019 2039)	
Place	Total
Addington	280 to 350
Addiscombe	1,480 to 1,880
Broad Green & Selhurst	880 to 1,070
Coulsdon	2,050 to 2,490
Central Croydon	11,540 to 12,980
Crystal Palace & Upper Norwood	480 to 670
Kenley and Old Coulsdon	2,000 to 2,480
Norbury	540 to 670
Purley	7,260 to 9,390
Purley Way transformation area	2,900 to 4,470
Sanderstead	1,670 to 2,070
Selsdon	870 to 1,070
Shirley	360 to 460
South Croydon	890 to 1,070
South Norwood & Woodside	560 to 620
Thornton Heath	1,450 to 1,880
Waddon	500 to 610
Already under construction	5,370
Borough totals	At least 46,040 new homes across the borough

The response to our Stage 2 Complaint from **Ms. Mustafa** – Director Planning – stating: "*The 2018 Croydon Local Plan sets out the strategic housing target for the Borough and "the plan does not break this target down by area or ward"* ... "*Our target number relates to that for the whole of the borough of Croydon*" is **clearly NOT TRUE!**

This can be seen in the LPA's published (2019) Croydon Local Plan Review – Issues and Options, at page 15, "where it clearly states "**Homes by Place (2019-2039)**"; including the '**Shirley Place**' (Both Shirley North and Shirley South Wards). **i.e., target Broken down by "Place".**

The **MORA Post Code** area application approvals for 2019 as shown in the table below have provided an additional **48 dwellings** which is over double the yearly quota for the **whole** of the '**Shirley Place**'.

The Monks Orchard Residents' Association (MORA) monitors only our MORA Post Code area for planning applications which is only a part of the Shirley North Ward, [2] (after the Ward boundary changes) so the MORA area is only a very small portion of the 'Shirley Place' as defined by the Croydon Local Plan, yet has contributed over double the target for the whole Shirley "Place".

The cumulative average estimated over the two years is $(48 + 22)/2 = \underline{\text{35 per year}}$ which is for just the **MORA post code area**. This clearly shows dwellings significantly exceeding the strategic target as defined in the **Local Plan Review of 20.5 dwellings average per year over the period of the plan.**

Location	Reference No.	Approval Date	Existing Dwellings	New Dwellings	Overall Increase
20-22 The Glade	18/05928/FUL	01/02/19	0	2	2
10-12 Woodmere Close	19/00051/FUL	27/02/19	0	1	1
9a Orchard Rise	18/06070/FUL	21/03/19	1	9	8
32 Woodmere Avenue	19/00783/FUL	20/06/19	1	7	6
18a Fairhaven Avenue	19/01761/FUL	20/06/19	1	9	8
17 Orchard Avenue	19/00131/FUL	06/11/19	1	8	7
56 Woodmere Avenue	19/01352/FUL	24/10/19	1	9	8
14-16 Woodmere Close	19/01484/FUL	23/10/19	0	1	1
37 Woodmere Avenue	19/03064/FUL	26/09/19	1	8	7
Totals			6	54	48

The similar **MORA Post Code Area** application approvals and waiting approval for **2020** so far is **22 additional dwellings** as shown in the table below.

Location	Reference No.	Approval Date	Existing Dwellings	New Dwellings	Overall Increase
151 Wickham Road	19/04149/FUL	18/03/20	0	5	5
16-18 Ash Tree Close	19/04705/FUL	27/02/20	2	8	6
195 Shirley Road	19/06037/FUL	22/09/20	1	9	8
116 Orchard Way	20/05960/FUL	waiting	1	4	3
189 Shirley Road	20/03288/FUL	waiting	1	4	3
Totals			4	26	22

The recent **cumulative developments in the MORA post code area** have all contributed to the 'Community Infrastructure Levy' none of which has been spent in the **MORA area** to improve the **Public Transport or other Public Services Infrastructure** to support these increases in local **Residential Densities**.

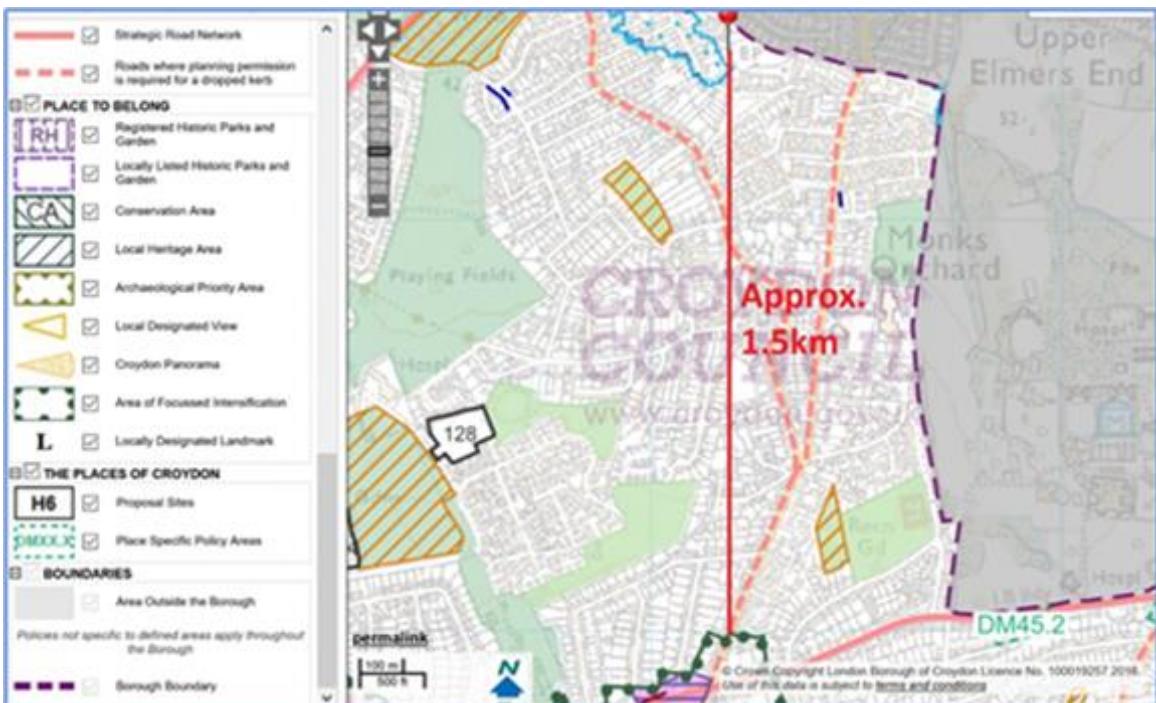
Thus, this statement by the case officer inferring the "acute need for new homes" was also false, giving inaccurate and inappropriate, guidance to committee members for their determination of the proposal – as the pressure to meet housing need in the MORA area has been satisfied by over provision of the strategic targets - which is defined as 'maladministration'.

- e) "the fact that the site is very close to the intensification area of Shirley"

The current adopted **Croydon Local Plan** identifies a section of the A232 in Shirley as a designated area for appropriate "**Focussed Intensification Area (FIA)**". However, the

[2] See: <http://www.mo-ra.co/planning/planning-matrix/>

proposed development site is approximately 1.5 kilometres ($\approx 1\text{ mile}$) from the nearest designated intensification boundary as can be seen in the **Policies Map** (above).



The illustration shows that the proposed development is a 'significant distance' from the nearest intensification boundary in Shirley and therefore the Case Officer's statement "very close to the intensification area of Shirley" is **factually incorrect** guidance to the planning committee.

Thus, this statement by the case officer that "the fact that the site is very close to the intensification area of Shirley" was again totally **false**, giving inaccurate and inappropriate, guidance to committee members in their determination of the proposal – which is defined as 'maladministration'.

f) "it is considered an appropriate density for this site."

This is a continuation of the assessment of item a) above.

The current **London Plan Policy 3.4 Optimising Housing Potential** states the appropriate **Residential Density** for a location with **Public Transport Accessibility Level (PTAL)** of 1a (and forecast to remain at 1a until at least 2031 by TfL), in a **suburban setting** should be within the range of **150-200 hr/ha**. The proposal has a **Residential Density** of **299.63hr/ha** which would require a **PTAL of 5.33** (in the highest range of 4 to 6) the case Officer has stated that "it is considered an appropriate density for this site." – **NOT according to the Policy 3.4.**

The London Plan Policy 3.4 states:

*"Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. **Development proposals which compromise this policy should be resisted.**"*

And at para 3.28:

"Where appropriate, they can also provide a tool for increasing density in situations where transport proposals will improve public transport accessibility in the future."

However, The Croydon Plan Review (2019 – 2039) acknowledges that it is extremely unlikely there will be any improvement in Public Transport Capacity over the period of the Plan Review up to 2039.

Croydon Local Plan Review Planning Bulletin 25th June 2020 [3]

Interim Bulletin Croydon Local Plan Review Update

Focused Intensification Areas (FIA): Reconsidering the current **Intensification Areas** and the introduction of additional areas including the following potential options.

- *Omitting the Shirley Focused Intensification Area (FIA) as it looks increasingly unlikely that significant improvements to the public transport capacity in the Shirley area will be delivered over the period covered by the local plan and hence the area only has capacity for limited future growth. The limited development potential significantly reduces the strength of the argument for major transport investment, although improvements are needed from a sustainability perspective."*

Thus, this statement by the case officer "it is considered an appropriate density for this site." was again **false**, giving inaccurate and inappropriate, guidance to committee members in their determination of the proposal – which is defined as '**maladministration**'.

Therefore, the case officer's Report to Committee which stated: "However, given suburban setting combined with the similar footprint, form and spacing of the proposed dwellings in comparison to the surrounding properties, the acute need for new homes and the fact that the site is very close to the intensification area of Shirley, it is considered an appropriate density for this site." was all **false**, giving inaccurate and inappropriate, guidance to committee members for their determination of the proposal – which is defined as '**maladministration**'.

This is in direct contradiction to the Planning Constitution at Para 1.2 which states:
"... determination of planning applications is a formal 'statutory administrative process' involving the application of 'national, regional and local' planning policies, ..."

And Members' Code of Conduct in Part 5I v):

"You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions."

Therefore, this is clearly '**maladministration**' on the part of the case officer giving inappropriate, incorrect and false guidance to members of the planning committee to ensure an approval, for which we are entitled to raise as a complaint to the '**Local**

[3] See:

<https://new.croydon.gov.uk/sites/default/files/Planning/Planning%20Interim%20Bulletin%20June%202020%20FINAL.pdf>

Government Ombudsman' for investigation and adjudication in accordance with paragraph 1.2 of the planning constitution.

Inappropriate acceptance of planning proposal

A further considered inappropriate acceptance of the planning proposal was related to the provision of parking for 6 of the 8 parking bays (75%) provided by the applicant.

The swept path diagrams provided by the applicant clearly show that in order to exit the site in a forward gear it would be necessary for 75% of those parked in a forward direction to mount the footpath and encroach into a neighbour's front garden to exit into Ash Tree Close in a forward gear.

This requirement would mean residents could not **erect front garden fences** to define their **curtilage for garden maintenance** for the life of the development as exiting cars would fail the fences on their exit.

Complaint #8: This problem applies to 6 of the 8 Parking Bays that require an "unacceptable manoeuvre" to exit from their bays and then exit in a forward gear into **Ash Tree Close** when parked in a forward direction, which is 75% of the provided parking bays (i.e., NOT a relatively small number of spaces as quoted by the Transport Team).

The Transportation Team consider this arrangement to be "acceptable" but have NOT considered how this complication would be resolved if future owners wanted to erect garden fences to partition their front garden curtilages to define their areas of responsibility for garden maintenance. Also, it is NOT evident whether the drop-kerbs (Condition of approval #5 B & C) run the whole length of the new footpath as the mounting of the footpath required to exit is not necessarily directly opposite an entry point?

This action is illegal, under Highways Act Section 72 [4] if there are no drop-kerbs at the point of mounting the footpath. (i.e., Only drop kerbs directly fronting and of limited width for **forward gear access** into each of the parking bays would be appropriate).

It is conceivable that, if not rectified, the parking situation could escalate to 'confrontations' between neighbours which should have been foreseen and been avoided by the case officer who ultimately takes responsibility for the recommendation.

We believe this shows a significant level of incompetence by the **Transport Team** who should have considered this likelihood (Garden Fencing & Legality). They have ignored the Highways Act (current Statute) and thus should know better than allowing such a recommendation for the life of the development, without significant justification.

The Case Officer should have seriously questioned this arrangement recommended as acceptable by the **Transport Team**, as the proposal seems illegal and devoid of any sensible logic.

[4] [Section 72 of the Highways Act 1835](#)

You state in your reports ID 20 008 119 para 20 and ID 20 003 522 para 18:

Paras 20/18. “*The Ombudsman looks at procedural fault in how decisions have been made and does not consider planning appeals. My investigation cannot consider the merits of the decisions reached or the professional judgement of the officers, provided there has not been procedural fault. Before it made its decision in this case, the Council followed due process in considering the application and I find no evidence of fault contributing to any personal injustice to [REDACTED]. (and para 18 [REDACTED])*”.

You state in your Paragraph 20/18 that: “*My investigation cannot consider the merits of the decisions reached or the professional judgement of the officers, provided there has not been procedural fault. Before it made its decision in this case, the Council followed due process in considering the application*”

We challenge both these statements on the grounds that there has been ‘procedural fault’, and ‘maladministration’, all of which are listed in our reasons and responses as detailed above which are grounds for complaint.

You also state in your paragraph 20/18 “*I find no evidence of fault contributing to any personal injustice to [REDACTED]*” (and para 18 [REDACTED]).

We challenge this statement also, on grounds that planning policies are defined to ensure development proposals provide appropriate accommodation standards for future occupants and prevent over-development of a locality so as to blend in with local character, and prevent detrimental effects to adjacent occupants, which this development clearly does not. It neither meets planning policies or blends in with adjacent dwellings and local character.

These issues are covered under the **Croydon Planning Constitution para 1.2 (above)**

1.2 The determination of planning applications is a formal statutory administrative process involving the application of national, regional and local planning policies that takes place within a legislative framework. Planning decisions can be appealed by unsuccessful applicants and challenged by way of judicial review by aggrieved parties. Complaints about maladministration and injustice can also be made to the Local Government Ombudsman.

Summary:

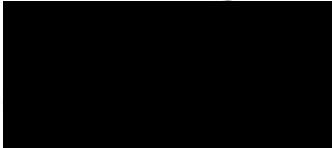
We have followed the rules in the **Croydon Planning Constitution** and the rules of the LGO and these are our comments on your Draft Report which we believe should have been considered and incorporated as defined in our letter of 13th August 2020 and also as our complaint meets the criteria defined in the **Croydon Planning Constitution paras 1.2, para 1.3 and para 5.1.**

Most of, if not more, of this information was provided with our complaint letter of **13th August 2020** to support our complaint representing our members and specifically [REDACTED]; and was also contained in our **Stage 1 & 2 complaints to the London Borough of Croydon LPA**.

We would therefore request that your **draft report** for both complaints’ cases ID’s 20 008 119 & 20 003 522, are amended accordingly to include an **investigation of these fundamental issues of clear misrepresentations and maladministration** in your assessment and to make appropriate recommendations accordingly.

If you decide that you cannot represent, investigate and adjudicate on our complaint, as understood as an available procedure as defined in the **London Borough of Croydon Planning Constitution para 1.2, para 1.3 and para 5.1**, recognising we cannot afford a judicial review; can you advise us who should we take our complaint to in order to hold our council to account for these clearly identified **misrepresentations and acts of maladministration?**

Kind regards



Derek C. Ritson I. Eng. M.I.E.T.
MORA Executive Committee – Planning
Email: planning@mo-ra.co



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Chairman MORA
Monks Orchard Residents' Association.
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