

SPSO decision report

Case: 201200560, Aberdeenshire Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C complained about the council's handling of an application to erect a wind turbine near his property. In particular, he disagreed with the council that he did not have a notifiable interest and was dissatisfied that he had not received neighbour notification. He also maintained that the council had ignored relevant guidelines when recommending the development for approval, and that the planning report had contained inaccurate and potentially misleading information.

After taking independent advice from one of our planning advisers we did not uphold Mr C's complaints. We found no fault in the council's handling of the neighbour notification procedures and were satisfied that, in line with those procedures, Mr C did not have a notifiable interest in the proposed development. We also found no evidence that the council had failed to take account of all relevant material considerations (genuine planning considerations related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest) and were satisfied that elected members had full information before reaching a decision on the development.