

SPSO decision report

Case: 201301000, Perth and Kinross Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: some upheld, no recommendations

Summary

Mrs C and Mr D both owned property next to land for which a planning application for development was submitted and approved. During the period of consultation on the application Mrs C was given access to the council's planning file, including a business plan submitted as part of the application. Mrs C and Mr D submitted objections to the application, but work subsequently began on the development, including closing a road so that passing places could be built.

Mrs C and Mr D both complained to the council that the report had not been reasonable in dealing with a number of council policies, national guidance and the business plan, that the passing places had not been built in line with council standards, that the road closure had not been undertaken in line with council guidance and that a letter Mrs C had submitted was not responded to within a reasonable timescale. The council responded saying that the report was reasonable, that Mrs C should not have been given access to the business plan, that the passing places and the road closure had been in line with relevant standards and guidance. They agreed that they had not met their service standards in regard to the response to Mrs C's letter.

Mrs C and Mr D were not satisfied and raised their complaints with us. We looked at these complaints together. After taking independent advice from one of our planning advisers, we found that the report had been reasonable, that the passing places had been built in line with the relevant standards and that the road closure had been undertaken in line with the relevant guidance. We did not uphold these complaints. We upheld the complaint about the time taken to respond to Mrs C's letter but, as the council had apologised for this and had reminded staff involved about their customer service standards to ensure that there was no recurrence of this, we made no recommendations.