

## SPSO decision report

**Case:** 201810995, Scottish Borders Council  
**Sector:** Local Government  
**Subject:** policy / administration  
**Decision:** not upheld, no recommendations

### Summary

Mr C complained about the council's handling of a planning application for a new development. Mr C said that the council did not undertake an independent transport assessment, and did not fully take into account the numerous objections raised, particularly about traffic and road safety. Mr C said that the council used the wrong guidance in assessing the traffic capacity of the road, and did not take into account relevant Scottish Government policy.

The council said that the consultation responses were considered in detail in the report of handling, and they also met with objectors (including Mr C) to discuss his concerns. They said that the relevant policies had been taken into account, and the guidance used to assess road capacity was appropriate.

We took independent advice from a planning adviser. We found evidence that the written consultation responses had been taken into account, and objectors (including Mr C) also had the opportunity to speak to the planning committee who made the decision. We considered that the guidance used to assess traffic capacity was appropriate, and there was evidence that the council had also taken into account relevant Scottish Government policy. While the transport assessment was carried out by the developer (not the council), this is standard practice, and the council had agreed the scope and reviewed the result. Therefore, we did not uphold Mr C's complaint.