

SPSO decision report

Case: 201103824, Perth and Kinross Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: not upheld, no recommendations

Summary

Mr C moved into a house in a rural location. One plot in a development next to his home was not developed at the time, and was the subject of two planning consents in 2006 for a change in house type. In early 2011 another application was made, this time to build a two storey house. The applicant described this as a modification of one of the 2006 consents, and the council described it this way when notifying neighbours of the application.

Mr C was unhappy with the council's actions in respect of his representations about the applications and their handling of the 2011 application. He complained that because a planning officer did not return his calls he was disadvantaged when making representations, and that the officer's report to committee did not say that the owners' association had also made representations. He also said that it was not reported to the committee that work had started on the site, and felt that this should have invalidated the 2011 application from being a modification of a previous consent.

We did not uphold his complaints. The council's standard acknowledgement said that those making objections could obtain information on line. We also found that the report had mentioned the representations received and these were available for members to consult. On the third complaint, our planning adviser took the view, which we accepted, that the start of work on site before the committee meeting did not invalidate the 2011 application.