

**Case:** 201102482, North Ayrshire Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the council had failed to prepare a development brief for a housing development near to his home. He was of the view that this was in breach of a policy in the local plan. This policy stated that the development must comply with an approved development brief prepared by the council.

The brief was prepared by the developer, in consultation with the council's planning department. Prior to approval, it underwent a period of public consultation after which amendments were made to the brief and the revised document was considered for approval by the Planning Committee.

Mr C considered that the developer's involvement in the preparation of the brief meant that it would be biased in favour of the developer. He considered that this was not what was required in terms of the local plan policy and he was also of the view that the council altered the terms of the development plan without following the correct statutory procedures.

Although the developer was very involved in the preparation of the brief, it was prepared in consultation with the council. The council's Planning Committee had, following public consultation, the right to accept or reject some or all aspects of the brief. As a result, we were satisfied that the final document was prepared and approved by the council and that it was in compliance with the policy in the local plan.