

## SPSO decision report

**Case:** 201201276, Aberdeenshire Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C raised a number of issues about how the council handled a planning application to vary a condition that had been imposed on a previously granted planning permission. Mr C was unhappy that the council had accepted supporting information provided by the applicant without requesting further evidence from them. He also complained that as the original application had been granted on appeal, the new application should have been referred back to the Scottish Government.

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 application. The information provided by the applicant, while useful, was not material in the determination of the application and so the council did not require any further evidence of proof. We found no evidence that the council failed to take account of all relevant material considerations. There was also no requirement on the council to refer the application to the Scottish Government.