

SPSO decision report

Case: 201203022, South Lanarkshire Council
Sector: local government
Subject: unauthorised developments: calls for enforcement action/stop and discontinuation notices
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council's planning department had not taken action to prevent his neighbour from erecting a garden shed in the wrong place. He felt the council should have taken earlier action because Mr C had made it clear to them where his neighbour had erected an area of decking, which would later be used as a base for constructing the shed. The council explained their role in planning enforcement and advised that at that stage there was no breach of development control that would allow them to take action. When Mr C's neighbour did build the shed in the wrong place, the council promptly took steps to ensure that it was relocated to the site approved under a certificate of lawfulness.

Having considered the council's response to Mr C's complaint and their actions, we were satisfied that they had acted appropriately.