

SPSO decision report

Case: 201205301, The City of Edinburgh Council
Sector: local government
Subject: unauthorised developments: calls for enforcement action/stop and discontinuation notices
Outcome: some upheld, recommendations

Summary

Mr C was concerned about the development of a piece of land near his home. The council had given planning permission for development of the site, with certain conditions attached. Just before the time limit on this consent expired, some work was carried out on the site, after which the council confirmed that the developer had discharged their responsibilities under the planning conditions. Mr C complained to the council that this decision was unreasonable, and that they had not made relevant documents available to the public as required by legislation. The council responded to Mr C's complaints, but he remained dissatisfied and complained to us.

Our investigation found that the council had acted in line with legislation and procedure in deciding whether the conditions had been discharged. They had not, however, made all relevant documents available as they should have done so we upheld that element of the complaint. Mr C also complained about the council's handling of his complaints, but we decided this had been reasonable.

Recommendations

We recommended that the council:

- remind their staff that they must ensure that all relevant parts of the planning register are available to the public as required in legislation.