

SPSO decision report

Case: 201508321, Argyll and Bute Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: not upheld, recommendations

Summary

Mr C's neighbour applied for planning permission to build an extension on the gable end of their property closest to Mr C's property. Mr C received a neighbour notification letter from the council which invited him to submit comments about the application. In response to this, Mr C sent a letter of objection to the council which expressed a number of concerns about the proposed development. Mr C noted that the plans submitted with the application contained inconsistencies and stated that the development was not in accordance with the local development plan for the area. Mr C added that he felt that the development would increase the risk of flooding to his property and would also affect his privacy. The council, after receiving Mr C's letter in addition to relevant consultation responses, decided to grant planning permission to Mr C's neighbour's application.

Mr C was not satisfied that the council had appropriately considered his objections and said that they had not followed the relevant planning rules when considering the application. We took independent advice from a planning adviser. We found that the council had reasonably assessed the effect the development would have on Mr C in terms of the relevant policies and guidance, and had reasonably taken into account the material objections he raised. We therefore did not uphold Mr C's complaint. However, we noted that the council had upheld one aspect of Mr C's complaint and had agreed to review procedures as a result. We accordingly made one recommendation.

Recommendations

We recommended that the council:

- provide us with evidence that a review of procedures in the relevant team has taken place.