

## SPSO decision report

**Case:** 201604381, East Dunbartonshire Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Outcome:** some upheld, recommendations

### Summary

Ms C's neighbour applied for planning permission to build a porch extension which Ms C considered blocked her light. She complained to the council after permission was granted and was told that the plans had passed the daylight test. Ms C complained that the plans to which the daylight test was applied were inaccurate. The council responses indicated that they had tested the plans for accuracy but despite repeated requests for the information, the council could not offer proof of this test. Ms C continued to complain after she had had a final decision and the council reinvestigated her concerns concluding in a second final response. Ms C was unhappy that the plans were inaccurate, the council failed to provide her with proof of their test of accuracy and issued her with numerous responses after a supposedly final response.

We concluded that the council were reasonably entitled to assume the plans were accurate but should have provided Ms C with the information about this (or any test used to check accuracy of plans) and should not have continued to consider Ms C's complaint after issuing a final decision.

### Recommendations

We recommended that the council:

- provide Ms C with either the mathematical method used to check the accuracy of the plans or an explanation as to why they were satisfied that the plans were accurate;
- apologise to Ms C for not providing the information or an explanation despite repeated requests; and
- take steps to ensure that planning department staff discuss the outcome of this complaint at a team meeting to raise awareness of the correct process for dealing with repeat complaints.