

## SPSO decision report

**Case:** 201605355, Perth and Kinross Council  
**Sector:** local government  
**Subject:** handling of application (complaints by applicants)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the council had unreasonably failed to refer a decision on a planning application to the planning committee, and that the council's handling of his complaint about this matter had been unreasonable because it was responded to by the officers who had handled the application.

Mr C believed the application should have been referred to the planning committee because a previous application, which he considered was similar, had been determined by the planning committee. The council advised that the previous application had been for the removal of a planning condition for a group of buildings, while the application Mr C complained about had been for a change of use of some of that group of buildings, and that they considered that the applications were significantly different. We took independent advice from a planning adviser who reached the same conclusion, and also noted that documents submitted with the later application specifically pointed out that there were differences between it and the earlier application. We accepted the adviser's view and did not uphold this complaint. We also found that the council had appropriately investigated the complaint and there had been no undue influence by the staff who had originally handled the applications. Therefore, we did not uphold Mr C's complaint about the council's handling of his complaint.