

## SPSO decision report

**Case:** 201704876, Argyll and Bute Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Decision:** some upheld, recommendations

### Summary

Mr C raised a number of concerns about the council's handling of a planning application. In particular, that the council had unreasonably failed to carry out an appropriate assessment of the impact of the new development on his property. He also complained that the council had failed to take enforcement action in relation to an alleged breach of planning control.

We took independent advice from a planning adviser. We considered that the assessment of the planning application in relation to the impact on Mr C's property, in terms of privacy and overlooking, was unreasonable and we upheld this aspect of his complaint. However, in making recommendations to the council in light of this finding we noted that they had, prior to our investigation, taken action to suggest to the applicant that additional screening be installed to address Mr C's concerns about overlooking.

In reference to enforcement action we were satisfied that the council had take action in line with their monitoring and enforcement charter and we found no failings. Therefore, we did not uphold the complaint.

### Recommendations