

SPSO decision report

Case: 201102859, North Lanarkshire Council
Sector: local government
Subject: complaints handling
Outcome: some upheld, recommendations

Summary

Mr C complained about the way the council dealt with a planning application for a proposed development of social housing near his home. He felt the council had not consulted with the community appropriately, had failed to take into account objections properly, and had not given reasonable justification for the choice of site.

We found that the council dealt with the application appropriately and in accordance with planning policy. The planning report about the site had considered all objections and provided reasoned responses. We noted there had been an initial error with the documentation provided during neighbour notification, but that this had been rectified. In any event the council had given reasonable opportunity for representations to be made and heard during consultation events and during a planning committee meeting. We also found that, although the council were not required to justify choosing this specific site over others, they had nonetheless provided their reasoning for this choice of site to the community. We also did not uphold the complaint that construction started before planning condition pre-requisites were met, as we found evidence to the contrary. We did, however, uphold Mr C's complaint about the way the council handled his complaints, as we found the final response was unreasonably delayed and did not address any of the points on which Mr C had sought responses.

Recommendations

We recommended that the council:

- apologise to Mr C for the failings identified in the manner in which they dealt with his complaint; and
- review their complaints handling procedure to ensure full responses are sent to complainants.