

SPSO decision report

Case: 201102838, Argyll and Bute Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C raised his concerns about the council's decision to grant permission to his neighbour to install car access to his home.

He complained that the council had not carried out a consultation prior to granting consent and had not carried out an appropriate risk assessment. He stated that he was concerned about the safety implications of the driveway, partially as there was a primary school opposite.

The council explained that installation of the driveway did not require planning consent. The only permissions required were in terms of a consent to allow vehicles to cross the pavement and a road opening permit to allow works to lower the kerb. A qualified roads engineer from the council assessed the site against the council's roads guidance as safe.

As the council had complied with its responsibilities in terms of the relevant roads legislation and as they had carried out the necessary assessments, we did not uphold the complaint.