

SPSO decision report

Case: 201200200, Perth and Kinross Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: not upheld, no recommendations

Summary

Mr C raised a number of issues relating to the council's handling of a planning application granted in 1988/89 for a housing development. The development turned out to be liable to flooding, and Mr C was concerned that the council had not taken this into account when considering the suitability of the site for development. He also said that, although the council had advised him over the years that a flood mitigation scheme (to try to protect the houses built on the lower level) was to be implemented, this did not happen and he had now been advised that no such scheme would be implemented.

During our investigation we found that, at the time of the development, planners did not have any responsibility to consider flooding issues and that it was not until some years after the development was completed that plans and policies were put in place to deal with flooding. We also found no evidence that the council had confirmed that a flood mitigation scheme would be implemented and noted that they had said that any such scheme would be subject to its economic viability.