

SPSO decision report

Case: 201201431, Fife Council
Sector: local government
Subject: noise pollution
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council had not acted appropriately over a noise nuisance that he said affected his home. He was also unhappy with their planning process. He told us that the council had delayed in taking action over noise nuisance and had been unduly accommodating to the company operating the site involved. He also said that his complaints had not been investigated properly and that council departments had failed to liaise about the problem. He told us that this resulted in the planning department failing to carry out a noise impact assessment, even though a freedom of information request had identified previous complaints about noise from the site.

We did not uphold Mr C's complaint, as the evidence showed that the council had rigorously investigated his concerns, including carrying out tests, and that no statutory noise nuisance was established at his property. We also took independent advice from one of our planning advisers, who confirmed that the council had acted appropriately when they accepted and approved a retrospective planning application from the company operating the site.