

SPSO decision report

Case: 201201910, Perth and Kinross Council
Sector: local government
Subject: handling of application (complaints by applicants)
Outcome: not upheld, no recommendations

Summary

Mr and Mrs C were granted planning permission to build a property. As a pre-requisite to issue planning consent, however, the council decided that Mr and Mrs C had to make an education contribution. This is a payment developers must make to contribute to school provision if their development meets certain criteria. To determine whether a developer must make a contribution a method is used that involves a calculation. Mr and Mrs C disputed the calculation. They said that if the council had used another calculation they would not have to pay an education contribution. They were also concerned that the figure the council arrived at changed over the course of their application.

After taking independent advice from one of our planning advisers, we did not uphold this complaint. The adviser confirmed that it was appropriate for the council to determine the method and calculation themselves. The adviser also said that the change to the figure was not unreasonable in attempting to reach agreement on a planning contribution.