

SPSO decision report

Case: 201202300, Glasgow City Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: some upheld, recommendations

Summary

Ms C's complaint was about proposals to site a doctors' surgery behind her home. Ms C had objected to the original proposals in 2004. The acknowledgment of her objection indicated that she would be told the outcome, but that did not happen. Consent for the initial application was issued in 2006, after the application was referred to Scottish Ministers. Ms C, unaware of this, obtained planning consent and a building warrant for a rear kitchen extension to her property which was completed in 2007. In late 2009 an amended application was submitted for the surgery proposals.

Ms C made three complaints. We upheld two - that the council failed to tell her that the initial planning permission had been granted, which our investigation found was clearly the case, and that they failed to respond appropriately to her complaints correspondence. On the latter we found that the timescales exceeded the council's published targets. We did not uphold her complaint that the council failed to ensure the site plans were updated to show her extension, as site plans were the responsibility of the developer. However, as we found that the council's geographical management system did not show Ms C's kitchen extension we made a recommendation about this.

Recommendations

We recommended that the council:

- examine why, given the completion in January 2008 of the approved building works to form a rear extension to Ms C's home, that extension is not shown on the council's geographical mapping system; and
- consider reviewing their current procedure of acknowledgement of receipt of representations on planning applications to direct relevant parties to information publically available on the council's planning portal.