

SPSO decision report

Case: 201205198, West Lothian Council
Sector: local government
Subject: handling of application (complaints by applicants)
Outcome: not upheld, no recommendations

Summary

Mrs C planned to open a food takeaway and sought pre-application advice from the council about this. The council gave advice, which was generally positive about the plan, but made clear that it was given without prejudice to the assessment of a formal planning application. When Mrs C submitted her formal application, it was refused. Mrs C felt the pre-application advice should have alerted her to the basis upon which the application was ultimately refused.

As our investigation found that pre-application advice is not required to be exhaustive and that the advice received in this case was reasonable, we did not uphold Mrs C's complaint.