

SPSO decision report

Case: 201300983, The City of Edinburgh Council
Sector: local government
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Ms C complained about the council's handling of a planning application, for which they had granted permission. She complained that the council had misled the development management sub-committee by the wording of the report of handling. She also said they had gone against the local plan and had not considered all the material planning issues.

The council admitted that some of the wording in the report of handling could have been clearer and more accurate. However, they said they did not believe that this led the sub-committee to make a decision that they would not have made with the more accurate wording. The council said they had considered all the material issues and did not believe the planning permission granted breached the local plan.

We took independent advice from one of our planning advisers, who agreed that some of the wording could be improved. For this reason we upheld this complaint and made a recommendation. The adviser did say however, that they did not believe this led the sub-committee to make a decision contrary to the one they would have made if the report was more accurate.

The adviser was satisfied that the council had not breached the local plan and had the relevant powers to make the discretionary decisions involved in this case. The adviser also found that the council had considered all the material issues that they would be expected to consider. We accepted this advice and did not uphold these complaints.

Recommendations

We recommended that the council:

- conduct further training on report writing.