

## SPSO decision report

**Case:** 201301661, Scottish Natural Heritage  
**Sector:** Scottish Government and devolved administration  
**Subject:** handling of application  
**Outcome:** not upheld, no recommendations

### Summary

After Mr C submitted a planning application, the planning authority concerned consulted Scottish Natural Heritage (SNH) about the application. Although Mr C accepted that consultation with SNH was a valid part of the planning process, he felt their contact with the planning authority was excessive and inappropriate. We found that the evidence showed that SNH had a role to play in Mr C's application and that they were in regular contact with the planning authority. As part of our investigation we also took independent advice from our planning adviser who was of the view that SNH's contact was not inappropriate. Although we took account of Mr C's concerns, we agreed that the evidence did not indicate inappropriate discussions or collusion with the planning authority.

Mr C also felt SNH's consultation response contained inaccurate information which, in his view, caused the planning authority to refuse permission. The evidence indicated that although SNH originally felt that if Mr C's application was to be granted he should take some additional steps, they softened their position after the planning authority refused the application. Our adviser confirmed that SNH had acted in line with the precautionary approach detailed in Scottish Government guidance and we also considered it clear that SNH's consultation response was not the sole reason for refusing the application. Viewed as a whole, we did not consider the evidence showed that SNH unreasonably submitted inaccurate information.