

SPSO decision report

Case: 201304169, Perth and Kinross Council
Sector: local government
Subject: handling of application (complaints by applicants)
Outcome: some upheld, recommendations

Summary

Mr C complained that the council had not dealt properly with his application for planning permission. He said that they had unreasonably declined to engage with him and respond to his pre-application enquiry, dealt with this as if it was a planning application for detailed consent (when it was for permission in principle), and that the reply to his complaint wrongly said that they had asked him for drawings of the elevation of his proposed building as part of the assessment of his planning application.

We found that the council had responded to Mr C's pre-application enquiry and, although it might not have met his expectations of engagement with them, it did provide relevant advice. This service is discretionary and it was for the council as planning authority to decide what resources they spent on it. We found nothing to suggest that they had dealt with Mr C's application as if it was for detailed consent rather than in principle. However, it was unclear whether they had given him advice about providing drawings of the elevation of the proposed building, which suggested that their reply had been incorrect, and we upheld this element of his complaint.

Recommendations

We recommended that the council:

- remind staff of the importance of keeping a record of phone calls they have with customers; and
- review their response to Mr C's complaint about the drawings, and provide either an apology and correction, or details of when and by whom such a request was made.