

SPSO decision report

Case: 201304469, Dumfries and Galloway Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: not upheld, no recommendations

Summary

Mrs C complained about the way that the council dealt with various planning applications concerned with drilling and the exploration and development of coal bed methane from early 2007 until 2009, when an application was submitted for the formation of a gas compressor station. These applications were all approved subject to conditions. Then, from 2011 until 2013, further applications were made to vary the timescales of the permissions that had been granted earlier.

Mrs C complained that the council should not have considered the applications on an individual basis and that this should have been considered to be a major development. She also believed that planning officers were not sufficiently expert to deal with the matters nor did they ensure appropriate public consultation. In reply, the council said that due process had been followed throughout.

We took independent advice from our planning adviser. Our investigation found that the council had considered the applications in terms of the appropriate planning legislation. Similarly, they followed legislation when varying the timescales applying. There was no evidence to suggest that the developments constituted a major development or that officers were not sufficiently expert to deal with the applications. All the planning applications had been publicly advertised and requirements for neighbour notification fulfilled.