

SPSO decision report

Case: 201507607, The City of Edinburgh Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: upheld, recommendations

Summary

Mrs C complained to us regarding a planning application at a neighbouring site. In particular, she was concerned that the council had failed to re-notify neighbours following the submission of further information from the applicant. Mrs C also complained that the development management sub-committee had not been provided with a reasonable standard of information about ground levels.

We took independent advice from a planning adviser. They noted that when responding to Mrs C's complaints, the council had accepted that neighbours should have been notified of the additional information submitted and been given the opportunity to make further representations. The council also accepted that members of the development management sub-committee should have been made aware of the proposed site levels. We were advised that while reasonable action had been taken by the council to address these findings, further action should be taken by the council. We therefore made five recommendations.

Recommendations

We recommended that the council:

- consider the need for the planning service to accept direct responsibility for securing an acceptable solution in this case and report to us on any action taken;
- ensure that all options, including a specific proposal, are identified and considered and report back to us on the progress of a resolution;
- consider the need to ensure that where they are both planning authority and developer, it is essential to ensure that the standards of the planning service are met, and report back to us on any action taken;
- provide an update on the options developed for landscaping; and
- provide a copy of the practice note on site levels which has been prepared by the service delivery team.