

## SPSO decision report

**Case:** 201507680, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Outcome:** upheld, recommendations

### Summary

Mr C complained that the council had failed to fully reflect his concerns about a neighbouring planning application when they made a report to committee, in particular with regard to noise and loss of sunlight.

The council acknowledged that they had failed to fully reflect Mr C's concerns. They advised Mr C that the measurement of sunlight loss used for the application was appropriate but accepted that they should have communicated more clearly in their report about the loss of daylight. They also acknowledged that they did not properly reflect Mr C's concerns about the potential impact of noise.

We took independent advice from a planning adviser. The adviser found that while the council had failed to fully reflect the representations made by Mr C, these would have been available in full to committee members. They also found that the daylight test was in line with the council's guidance. As the council did not fully reflect Mr C's concerns about possible noise, we upheld Mr C's complaint.

### Recommendations

We recommended that the council:

- remind planning officers of the importance of accurately reflecting public representations on material planning matters in the report of handling.