

SPSO decision report

Case: 201508400, South Lanarkshire Council
Sector: local government
Subject: handling of application (complaints by opponents)
Decision: some upheld, recommendations

Summary

Mr C complained to us that the council's report on a planning application to their planning committee contained a number of factual inaccuracies. We took independent planning advice on Mr C's complaint. We found that any inaccuracies in the report were minor and were not significant to the overall assessment of the application. The report did not mislead the members of the committee and we did not uphold this aspect of Mr C's complaint. However, we found that the manner in which the council had handled an economic statement that the planning applicant had submitted to support the application had been inadequate and we made a recommendation to the council in relation to this.

Mr C also complained to us that the council had not reasonably handled his enquiries to them about why they had notified residents that the previous application had been withdrawn after they were notified of the new application. We found that the council's response to Mr C on this matter should have included more information about why the problem occurred and the steps they had taken to try to prevent this happening again. We upheld this aspect of this complaint. We also made a recommendation to the council about the letter used to advise planning objectors of the withdrawal of an application in expectation of the submission of a new one.

Recommendations

We recommended that the council:

- review their procedures for requesting or passively receiving supporting economic statements; and
- review the letter used to advise objectors of the withdrawal of an application in expectation of the submission of a new one.