

SPSO decision report

Case: 201600096, East Dunbartonshire Council
Sector: local government
Subject: handling of application (complaints by opponents)
Outcome: some upheld, no recommendations

Summary

Mrs C complained that the council had failed to properly notify two neighbouring properties of a planning application near to her home. She was also concerned that the council granted planning consent despite being informed that land which the applicant had suggested was under their ownership was not. She reported a number of breaches of a planning condition restricting noise on the site outwith the working day and was unhappy that the council did not take additional action against the developer for breaching this condition. Mrs C was also unhappy with the way the council dealt with her subsequent complaint.

The council had previously acknowledged that, as a result of a computer error, they failed to notify two neighbouring properties. They explained the steps they had taken to fix their computer record and apologised to the owners of the properties concerned.

We were satisfied that the council had failed to notify these neighbours as they were required to, and we upheld this aspect of Mrs C's complaint. As they had already taken steps to correct their system records and had apologised to the property owners, we made no recommendations on this point.

As the council had obtained appropriate certification from the developer in respect of land ownership, as they had reminded the developer of their responsibilities to comply with the condition relating to noise outwith working hours and as they dealt with the complaint in line with their complaints procedure, we did not uphold these aspects of Mrs C's complaint.