

SPSO decision report

Case: 201608864, Glasgow City Council
Sector: local government
Subject: handling of application (complaints by opponents)
Decision: not upheld, no recommendations

Summary

Mr C lives in a conservation area. An application for planning permission for the demolition of a section of internal garden wall in a property neighbouring his was submitted to the council. Mr C submitted objections to the proposal. The council produced a report of handling of the application and granted full planning permission. Mr C complained that the report of handling of the application had not been reasonable because the author commented upon the state of repair of the wall having only seen it in photographs. Mr C also complained that the report did not reasonably evaluate the application in line with policy or justify its conclusions. He also complained that the council's responses to his complaints were contradictory and misrepresented both their policies and the significance of the visibility of the wall from public areas.

We took independent advice from a planning adviser, who told us that it was reasonable in the circumstances that the report's author had only seen the wall in photographs. The adviser also gave their view that the council's consideration of relevant policies had been reasonable. We accepted the adviser's views and concluded that the council's evaluation of the application had been reasonable. We did not uphold these aspects of the complaint.

We reached the view, taking into account the adviser's opinion, that the council's complaints responses did not misrepresent their policies or the significance of the visibility of the wall. We also concluded that the responses were not contradictory, but that they reasonably addressed the different points Mr C had raised at different stages of the complaints process. We did not uphold this aspect of the complaint.