

## SPSO decision report

**Case:** 201700941, The Highland Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Decision:** upheld, recommendations

### Summary

Ms C made a number of complaints to the council in relation to breaches of planning control and anti-social behaviour at a neighbouring holiday let property. Ms C complained that the council's response to both her concerns was unreasonable.

We took independent advice from a planning adviser. We found that the council had been slow to respond to a number of breaches of planning control and that their reports were inconsistent in relation to how they assessed planning applications against relevant policies. However, we noted that they had already identified ways to improve their service going forwards, including stopping the use of operational management plans as a planning approval condition. We also found that the council had advised Ms C to contact the police about anti-social behaviour but should have passed these reports to the environmental health department, in line with their planning enforcement charter. Therefore, we upheld both of Ms C's complaints.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for failing to pass on her complaints about anti-social behaviour to the relevant service in line with their planning enforcement charter. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/leaflets-and-guidance](http://www.spsso.org.uk/leaflets-and-guidance).

What we said should change to put things right in future:

- It should be clear from planning reports how applications comply with relevant policies.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.