

SPSO decision report

Case: 201701062, Dumfries and Galloway Council
Sector: local government
Subject: handling of application (complaints by applicants)
Decision: not upheld, no recommendations

Summary

Mr and Mrs C own a hotel in a conservation area. They applied to the council for a grant to replace the windows on the front of the hotel, and were awarded the full grant. They required planning permission to replace the windows, but had problems getting through the registration process. Mr and Mrs C felt that the information they were submitting was adequate, and felt frustrated with what they considered to be the council's lack of clarity regarding the information required. In the meantime, the hotel building was deteriorating, which had an impact on their business and the health and safety of their family who were living there. The council's position was that Mr and Mrs C had continually submitted inadequate planning applications which were invalid. Mr and Mrs C complained to us that the council's handling of their planning application was unreasonable.

We took independent advice from a planning adviser. We did not find any reasonable basis to question or challenge the council's reasoning and conclusions. We were satisfied that the council replied promptly, constructively and appropriately at all times. We considered that the council had made it clear what supporting documentation was required, and what essential items were missing, for the planning applications to be deemed valid for processing and determination. We found that the council were not in breach of any procedures or legislation, and did not cause any delays in the handling of the applications. We did not uphold this complaint.