

## SPSO decision report

**Case:** 201800565, West Lothian Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Decision:** not upheld, no recommendations

### Summary

Mr C complained that an approved extension to a neighbouring property was in breach of the relevant planning guidance. Mr C considered that the height of the rooflights were too low and that the privacy and amenity of his garden would be compromised. Mr C also argued the development was inappropriate in size and scale and would be overbearing when compared with other properties. In addition, Mr C believed that the reduction in garden ground would be excessive as much of the front garden was taken up by parking and hardstanding.

We found that there had been no procedural errors on the part of the council when handling the application. Mr C's objections had been considered by the planning committee as part of the report. We considered that there were no grounds for this office to question the professional judgement the planning officers had exercised when compiling the report considered by the planning committee. Mr C subsequently contacted us raising further questions about the planning guidance which might apply. Whilst this was noted, we explained to Mr C that planning guidance is not binding and that a planning officer is entitled to take into account the circumstances of each individual application when deciding the extent to which the planning guidance needed to be applied. We found that the council's report to the planning committee set out in some detail how the application had been amended to bring it into line with planning guidance. Therefore, we did not uphold the complaint.