

Details of local settlements reached in respect of Ombudsman complaints in 2008/09

Details of complaint	Outcome/details of local settlement	Lessons Learned/Action Taken
<p>Complaint regarding the way in which the Council dealt with a planning application. In particular the Council:</p> <ul style="list-style-type: none"> • Withheld from Development Management Committee members a significant report commissioned by objectors, and presented an inadequate report to the Committee. • Gave the complainant incorrect and misleading information about Committee members' knowledge of the report • Allowed construction of a building with a considerably larger floor area than that approved • Provided misleading information to objectors and Committee about dimensions of proposed house • Gave the complainant misleading information and unreasonably refused his request for a meeting with the Chief Executive. 	<p>Accepted that there were certain shortcomings in the way in which the Council had dealt with the application, particularly in the information provided to members in an officer report.</p> <p>Also lengthy delays in providing the complainant with responses to his emails, and officers should have been able to provide complainant with confirmation of the footprint of the proposed dwelling at a much earlier stage.</p> <p>Complainant offered compensation of £100 in recognition of his time and trouble in pursuing his complaint, and inconvenience.</p>	<p>All factual information regarding a proposed development needs to be thoroughly checked for accuracy before committee report is finalised.</p> <p>In addition, wherever possible critical dimensions of a proposed development – particularly in regard to its height – should be clearly identified in plans presented to members.</p> <p>Committee procedure notes subsequently revised to ensure that for each application taken to committee officers:</p> <ul style="list-style-type: none"> • Take members through the plans • Give a brief clarification of the proposal at the same time. • Display at the end of the plans a slide summarising the main issues. • Include the critical dimensions of the proposal as an annotation on the powerpoint slide, where there are contentious issues about proximity to boundaries or relative heights.

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<p>The Council delayed unreasonably in coming to a view on whether development by the complainant represented a breach of planning control.</p>	<p>During the course of the Ombudsman's investigation, agreement was reached with the complainant that they would submit a planning application to regularise the alleged breach. Officers confirmed that they would support application and would not seek to impose further conditions or levy an additional infrastructure charge.</p>	<p>See comments under outcome.</p>