

The Ombudsman's final decision

Summary: We will not investigate this complaint about the Council's decision to grant planning permission for developments on the street where Mr X lives. This is because he has not been caused an injustice.

The complaint

1. Mr X complains the Council granted planning permission for two developments on the street where he lives without considering the impact on access to private land and neighbouring properties. Mr X says this has affected the quality of life of local people.

The Ombudsman's role and powers

2. The Ombudsman investigates complaints about 'maladministration' and 'service failure', which we call 'fault'. We must also consider whether any fault has had an adverse impact on the person making the complaint, which we call 'injustice'. We provide a free service, but must use public money carefully. We do not start or may decide not to continue with an investigation if we decide any fault has not caused injustice to the person who complained, or any injustice is not significant enough to justify our involvement. (*Local Government Act 1974, section 24A(6)*)
3. We may investigate complaints made on behalf of someone else if they have given their consent. (*Local Government Act 1974, section 26A(1), as amended*)

How I considered this complaint

4. I considered information provided by the complainant.
5. I considered the Ombudsman's Assessment Code.

My assessment

6. Mr X does not own the private land which he says is affected by the Council's decision to grant planning permission. Therefore he has not been caused an injustice.
7. Mr X also complains the Council has granted planning permission for the height of a roof on the street to be raised. Mr X does not live next to the property and so there will be no impact on his property. Therefore he has not been caused an injustice.

-
8. Mr X has not provided us with consent to allow him to act on behalf of others on the street. We would usually expect people to raise their own complaints unless there was a reason they were prevented from doing so.

Final decision

9. We will not investigate Mr X's complaint because he has not been caused an injustice.

Investigator's decision on behalf of the Ombudsman