

Appeal Reference: APP/Y2003/W/22/3297656

Agricultural Barn (Next to the Stables Restaurant), High St, Scotter Rd, Messingham- Outline planning permission for up to 20 dwellings with all matters reserved for subsequent consideration (resubmission of PA/2020/672)

Response to Appellant's Application for Costs

Under point 1 of the appellant's cost claim they refer to the application being deferred from a previous planning committee meeting to allow for a site visit by the planning committee members prior to the application being considered on 06 April 2022. The appellant claims the visit was undertaken for reasons that contradict the Council's own rules for site visits. In response to this matter planning committee members have the option to defer a decision on an agenda item (a planning application) until the next meeting to allow them to visit the site prior to the next meeting to gain an understanding of the constraints of a site and how the proposals may impact on the local area which surrounds the site; this procedure was followed between the meeting held on 9 March 2022 and 06 April 2022. This procedure does not contradict the rules for site visits.

It is correct that planning permission was refused against officer recommendation as detailed in the planning committee report. This recommendation was made after considering the comments received from all consultees during the planning application process and the site visit undertaken prior to the meeting on 06 April 2022. Planning Committee members are aware of the 'Good Practice Guide for Councillors and Officers' which provides that Planning committee members can reject the officer's recommendation should they feel there is good reason to do so.

The reason for doing so has to be specified in the meeting and this is therefore recorded in the minutes. Where, as in this case, the decision of the planning committee member was to refuse planning permission, planning reasons for that decision have to be specified at the meeting and agreed by the members, which they were in this matter. The minutes of the meeting held on 06 April 2022 (which were uploaded with the appeal questionnaire) demonstrate this procedure was clearly followed.

The correct procedure was followed at the meeting where the planning application was considered, and the committee members made the decision to refuse planning permission in accordance with the Council's policies and procedures.

Although a decision was made against officer recommendation, the Council's position is that it did not act unreasonably, and the decision made by the members was made in line with procedure and good practice guidance.

At bullet points 2-3 the appellant states the reasons for refusal are vague, generalised and inaccurate and could easily have been dealt with by way of planning condition. The planning committee has refused the application on the grounds the proposal could impact on the amenity of the area and conversely the amenity of the future residents

could also be impacted upon and have substantiated this with reference to relevant Local Plan and Core Strategy policies in the reason for refusal.

The Planning Inspector is therefore respectfully requested to dismiss the appellant's application for costs.