

Appeal Reference: APP/Y2003/W/25/3370758

LPA Ref: PA/2025/742

Site Address: 4 Holme Hall Avenue, Bottesford, DN16 3PY

LPA's Response to Appellant's Application for Costs

The Local Planning Authority (LPA) maintains that no unreasonable behaviour occurred to justify an award of costs under the Planning Practice Guidance (PPG).

The minutes of the Planning Committee on 30 July 2025 show that members considered the officer's report, statutory consultee advice, objections from residents, and a letter from the local MP very carefully before resolving to refuse the application.

While the planning case officer recommended approval, members are entitled to reach a different view, provided this is based on sound planning grounds. The 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 a good reason to do so. Planning officers exist to advise planning committees, which are entitled to reach their own decisions by attaching a different weight to the various planning criteria which are relevant to an application.

Members considered that the loss of the garage and intensification of use would increase parking demand and traffic movements near a busy junction, contrary to policies T2 and T19 of the North Lincolnshire Local Plan. They also concluded that the scale and intensity of use would overdevelop the site and fail to respect the established character of the surrounding area, contrary to policies DS1 of the Local Plan and CS1 and CS2 of the Core Strategy. These conclusions were grounded in local knowledge, the site context and the representations received. It is noted that members are not bound by officer recommendations, and a difference in professional opinion does not amount to unreasonable behaviour. The refusal reasons were clear, policy-based and defensible. The LPA will be robustly defending the refusal reasons within its appeal statement.

It also should be noted that the absence of a Highway Authority objection does not compel Members to disregard parking or safety concerns. Members reached their own conclusions on these matters based on their local knowledge of the area and neighbours' concerns.

In summary, the decision was made following due process, with reasons that were specific, supported by adopted planning policy, capable of being defended at appeal and lack of consultee objections does not automatically grant approval on such grounds.

Consequently, no actions by the LPA caused unnecessary or wasted expense to the appellant. The council respectfully requests that this application for a full award of costs against the council is dismissed