



Costs Decision

Site visit made on 28 August 2025

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Costs application in relation to Appeal Ref:

APP/Y2003/W/25/3367635

Land off Ings Road, Kirton in Lindsey, DN21 4BJ

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Steven Andrew Nicholson, Kerrie Waters, Rachael Claire Schofield, The Strategic Land Group, Newett Homes Ltd for a full award of costs against North Lincolnshire Council.
 - The appeal was against the refusal of approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2020/588 dated 26/03/2021 for a residential development comprising 74 dwellings, open space and associated infrastructure.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. In this instance, the applicant states that the reserved matters application was supported by planning officers and presented to the Planning Committee on four separate occasions, each time with a recommendation to approve. The final committee report confirmed that there were no technical objections to the development from statutory consultees and that the development met all relevant local plan policies. Nevertheless, members of the Planning Committee resolved to refuse planning permission for a single reason. Thus, the applicant argues that the Council had prevented or delayed a development which should have been permitted, failed to produce evidence to substantiate its reason for refusal, and ignored relevant professional advice in the process.
3. The planning application for the development was refused contrary to the advice of professional officers. This in itself is not unreasonable behaviour as the committee was not bound to accept the officer recommendation provided it could show reasonable planning grounds for taking a contrary decision. Whilst the applicant may not like the approach taken by the committee in reaching its decision, it is for me to consider whether this action was reasonable and soundly based.
4. The evidence before me demonstrates that the planning application was indeed presented to members of the Planning Committee on four occasions. However, it is also evident that the applicant submitted amended plans during the course of its determination, which caused delays to a final decision being made by the Council. Additionally, members of the committee are not planning professionals and would be guided by Council officers on such

matters. Nevertheless, the fact that the committee arrived at a different conclusion to officers, despite their advice, is not itself a reason to find in favour of the applicant.

5. Turning to the evidence required to substantiate its reason for refusal, the Council has produced a written statement for the appeal process which clearly sets out its position on the salient matters. Members of the Planning Committee also visited the site, and it is evident that the perceived harm to the character and appearance of the area and the effect of the development on the living conditions of adjoining occupiers was a concern raised by the committee. The planning application was not refused on matters relating to technical evidence. However, in reaching its decision, the Planning Committee came to a planning judgement about the harm it considered would occur as a result of the development, and it was refused on that basis. I do not find this to represent unreasonable behaviour.
6. Consequently, I am satisfied that the Council gave sufficient consideration to the application and that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated and an award of costs is not justified.

Graham Wyatt

INSPECTOR