

Meeting: Overview, Scrutiny and Policy Development Committee

Date: 1 September 2014

Title: Report of the Local Plan Sub-group: Review of the Council's Processes – Scaffold Hill Planning Application and Appeal

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Service: Governance Services

Directorate: Law and Governance

Wards affected: All

1. Purpose of Report

The purpose of the report is to allow the Committee to consider the final report of the Local Plan Sub-group following a review of the Council's processes in relation to the Scaffold Hill Planning Application and Appeal.

2. Recommendations

The sub-committee is asked to:

- 1) Note the report;
- 2) Refer the report and recommendations to Cabinet for consideration;
- 3) Refer the report to Council for information, given that the review was undertaken in response to a Council Motion.

3. Details

3.1 The Local Plan Sub-group was asked to review the processes in relation to the Scaffold Hill planning application and subsequent planning appeal. This followed the agreement of the Council Motion set out below which was considered by Council on 14 March 2013:

“The very recent Planning Appeal (re Scaffold Hill Farm proposals) that caused the Council to withdraw from the appeal altogether as a consequence of information coming to light at a very late stage, in fact the evening before the appeal was to be held, so placing the Council in a very difficult position both financially and also the risk of the appeal process.

Council therefore resolves that an urgent review be taken by the Overview and Scrutiny Committee into how the planning application was processed, the information that was

submitted and considered by Officers and Planning committee members, including the analysis of evidence and preparation for the planning Inspector's Appeal hearing. A report should be produced by Overview and Scrutiny and presented to the Full Council for consideration and discussion."

3.2 The Sub-group began to consider this matter in November 2013, once it had completed work on its review of the Local Plan.

3.3 As part of the review the sub-group received background information from officers on the planning application and appeal. This included detailed information on:

- the legislative position around planning decisions and the appeals process;
- the chronology of events around the Scaffold Hill Farm Planning application determination and subsequent appeal process;
- information on the evidence prepared for the appeal by the highways consultant acting for the council;
- How processes have been reviewed and action put into practice in dealing with subsequent applications.

3.4 The Sub-group also:

- Had discussions with the highways consultant who was appointed by the Council to support the appeal;
- Considered written and verbal comments from relevant ward councillors;
- Met with representatives of the Holystone Action Group, a residents group that had campaigned against the development at Scaffold Hill and were in attendance at the appeal hearing.

3.5 The group has made 5 recommendations which are set out in the attached report.

3.6 The Committee is asked to refer the recommendations to Cabinet for consideration. The Committee is also recommended to refer the report to Council for information, given that the review originated from a Council motion.

4. Appendices (if any)

None