

APPENDIX B

GUIDANCE NOTE: DECISIONS CONTRARY TO AN OFFICER RECOMMENDATION



PROCEDURE TO BE FOLLOWED PRIOR TO A MOTION BEING PUT TO THE VOTE

Note:

In any of these cases it may be necessary for a short adjournment to allow officers to confer in order to provide advice to Members on issues such as appeals, cost implications, legal challenges, or for a detailed minute to be recorded by the Clerk.

Approval to Refusal	<ul style="list-style-type: none">• To provide the justification and/or technical or supporting evidence to demonstrate harm• To weigh any identified harm against other material considerations that favour the proposal• To frame the reason(s) for refusal and the relevant planning policies in support of the reason(s)• To allow officers the opportunity to respond and to provide any necessary advice in respect of potential appeals, costs applications or legal challenges• To ensure that there is a good minute of the Committee's reasoning and sufficient justification to support the Council's case should the application be subject to an appeal or a legal challenge
Additional Reason(s) for Refusal	<ul style="list-style-type: none">• To provide the justification and/or technical or supporting evidence to demonstrate harm• To weigh any identified harm against other material considerations that favour the proposal

	<ul style="list-style-type: none"> • To frame the reason(s) for refusal and the relevant planning policies in support of the reason(s) • To allow officers the opportunity to respond and to provide any necessary advice in respect of potential appeals, costs applications or legal challenges • To ensure that there is a good minute of the Committee's reasoning and sufficient justification to support the Council's case should the application be subject to an appeal or a legal challenge
Refusal to Approval	<ul style="list-style-type: none"> • To provide the justification and evidence and to frame a full reason for approval supported by the relevant planning policies • To allow officers the opportunity to respond and to provide any necessary advice in respect of a potential appeal (against a condition) or legal challenge • To frame the conditions, reasons for conditions and relevant planning policies in support of the conditions, and full reasons for approval with relevant planning policies • To ensure that there is a good minute of the Committee's reasoning and sufficient justification to support the Council's case should the decision be subject to an appeal or legal challenge
Additional conditions	<ul style="list-style-type: none"> • To frame the conditions, reasons for conditions and relevant planning policies in support of the conditions • To allow officers the opportunity to respond and to provide any necessary advice in respect of a potential appeal (against a condition) or legal challenge • To ensure that there is a good minute of the Committee's reasoning and sufficient justification to support the Council's case should the decision be subject to an appeal or legal challenge