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6. In relation to the second ground, the Appellant requested that the Housing Officer was consulted as part of the planning assessment. The appellant also relies on paragraph B23 which says that planning authorities are expected to give thorough consideration to advice from statutory consultees. In response the Council says that such a consultation was not necessary.
7. There is nothing before me that suggests that consultation with the Council's Housing Officer is a requirement in this District. Neither is the Council's housing department a 'statutory consultee' as referred to by the Circular. The Council's planning officers are entitled to make a planning judgment about the need for consultation with non statutory consultees. The housing officer has responded at appeal stage, but this response is unlikely to have altered the Council's original decision, even if it had been canvassed during the determination of the application. Accordingly I find no unreasonable behaviour in respect of this second ground.
8. Finally the appellant says that the decision was not made in the light of the aims of the Framework. Paragraph B15 says that decisions must have regard to the development plan, national policy statements and any other material considerations. In response the Council says that the Framework seeks development that responds to local character and provides acceptable amenity for occupiers.
9. The Framework makes it clear that the regard must be had to the development plan unless material considerations indicate otherwise. Furthermore full weight should be given to the development plan unless it is out of date or inconsistent with the Framework. In this subject appeal I find that the policies relied upon by the Council are consistent with the aims of the Framework. Although I have allowed the appeal, this is a matter of professional judgment, and not because the original decision was inconsistent with the Framework. Paragraph B18 of the Circular indicate that matters of judgment concerning character and appearance or the living conditions of occupiers are unlikely to result in costs awards.
10. I am satisfied that the Council has, overall, met its obligation to give proper consideration to the planning application and has justified its approach. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Circular 03/2009, has not been demonstrated.

*Sukie Tamplin*

INSPECTOR