

Costs Decision

Site visit made on 24 January 2017

By Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2017

**Costs application in relation to Appeal Ref: APP/Y3615/D/16/3164342
33 James Road, Peasmarsh, Guildford GU3 1NF**

- 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 Mr & Mrs Oliver Griffiss for an award of costs against Guildford Borough Council.
 - The appeal was made against the refusal of planning permission for a first floor extension to bungalow, removal of kitchen & internal alterations with new open porch.
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Decision

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

Reasons

2. The Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The Appellants' case alleges that delays in the decision making may have financial implications in terms of the level of VAT which may be applicable to the proposed works, but they have not elaborated further on the grounds of their application for an award of costs.
4. The planning application was dated 7 September 2016 and the decision notice dated 2 November 2016, and so the Council determined the application in a timely manner. I am also satisfied from the information before me that the Council had due regard to the Framework and its own development plan policies in assessing the merits of the application. Although I have reached a different conclusion to the one made by the Council, I find nothing unreasonable in the way that the Council considered the application before it.
5. I therefore find that unreasonable behaviour resulting in unnecessary expense, as described in the Planning Practice Guidance, has not been demonstrated.

L J Evans

INSPECTOR
