

Costs Decision

Site visit made on 15 March 2017

by Julie Dale Clark BA (Hons) MCD DMS MRTPI

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

Decision date: 24 May 2017

Costs application in relation to Appeal Ref: APP/N4205/D/17/3167203 4 Glendale Drive, Bolton BL3 4PD

- 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 Atif Anwar for a full award of costs against Bolton Metropolitan Borough Council.
 - The appeal was made against the refusal of planning permission for the erection of part single storey/part two storey extension to front, side and rear at 4 Glendale Drive, Bolton BL3 4PD in accordance with the terms of the application, Ref 97507/16, dated 22 September 2016, without compliance with condition No 4 previously imposed on planning permission Ref 92044/14, dated 8 July 2014.
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Decision

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

Reasons

2. The Planning Practice Guidance advises that costs may 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 application was considered by Bolton's Planning Committee in accordance with the Council's scheme of delegation. A ward councillor may request that an application is heard before the Planning Committee and this is what occurred here. This does not amount to unreasonable behaviour.
4. The wasted expense claimed by the appellant relate to the costs required to submit a planning application. I do not consider that matters such as preparation and submission of plans, paying a planning application fee to the Council etc amount to wasted expense in the appeal process.
5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

J D Clark

INSPECTOR
