The Planning Inspectorate

Costs Decision

Site visit made on 16 May 2017

by Beverley Doward BSc BTP MRTPI

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

Decision date: 25 May 2017

Costs application in relation to Appeal Ref: APP/A3010/W/17/3169888 Garden to Manor Farmhouse, Breck Lane, Mattersey Thorpe, Doncaster, DN10 5EF

- 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 Martin Doughty for a full award of costs against Bassetlaw District Council.
- The appeal was against the refusal of planning permission for the erection of a single detached dwelling, detached garage and access.

Decision

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

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and the unreasonable behaviour has directly caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

3. The applicant contends that the Council acted perversely in refusing planning permission for the proposal given that it had granted planning permission for a larger residential development scheme on a site adjacent to the appeal site. In considering this matter in my decision on the appeal it seemed to me that the cases were not comparable, particularly in the consideration of the overall planning balance. Accordingly, I am not persuaded that the Council has acted unreasonably in this respect.

4. The letter from the Council's Head of Regeneration to the Parish Council referred to by the applicant relates to the Bassetlaw Site Allocations consultation and refers in particular to the need to consider how best to address the issue of housing targets in its plan. It indicates that in the light of current circumstances it will be necessary to consider housing applications on their relative merits, balancing the need for housing against the potential impacts of a scheme. It seems to me that this is what the Council has done in this particular case. Therefore, in this respect also I consider that it has not behaved unreasonably.

Conclusion

5. For the reasons given above therefore, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not

been demonstrated. Accordingly, the application for an award of costs is refused.

Beverley Doward

INSPECTOR