
Costs Decision

Site visit made on 4 July 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 11 July 2017

Costs application in relation to Appeal Ref: APP/U2615/W/17/3167326 15 Belstead Avenue, Caister-on-Sea, Norfolk

- 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 Andrew Beck for a full award of costs against Great Yarmouth Borough Council.
 - The appeal was against the refusal of planning permission for alteration to 15 Belstead Avenue Caister-on-Sea and 3 new build bungalows in the rear garden with associated access road.
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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 thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The appellant alleges that the Council has acted unreasonably in reaching its decision on the planning application, particularly the length of time before determining the planning application and giving misleading advice with regard to amendments to the scheme prior to its determination. However, these allegations relate to events which mainly took place before the appeal was lodged as opposed to the merits of the decision and thus are not matters for my consideration.
4. For these reasons, I consider that the Council's decision was not unreasonable on its planning merits and the Council has provided sufficient evidence to support its decision. I therefore find that unreasonable behaviour resulting in unnecessary expense has not been demonstrated.

L Fleming

INSPECTOR
