The Planning Inspectorate

Costs Decision

Site visit made on 17 December 2019

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Costs application in relation to Appeal Ref: APP/B3410/W/19/3231681
Agricultural Buildings, Madeley Park Farm, Long Close, Hollington, Staffordshire ST10 4HJ

- 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 and Mrs Bloor for a full award of costs against East Staffordshire Borough Council.
- The appeal was against the refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, for prior approval for the conversion of an agricultural building to form a dwelling at Agricultural Buildings, Madeley Park Farm, Long Close, Hollington, Staffordshire ST10 4HJ.

Decision

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

Reasons

1. Planning Practice Guidance (PPG) 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.

2. From the information before me, in particular the Council's delegated officer report, I am satisfied that in determining the applicants' application for prior approval, the Council had regard to the supporting information[1] provided with it. How the Council interprets that information in determining the application is a matter of planning judgement. Matters relating to a previous prior approval application made by the applicants are outside the scope of my Decision.

3. Consequently, and despite allowing the appeal, based on the above reasons I find that the Council did not act unreasonably in this case. Accordingly, it is not necessary to consider the question of unnecessary or wasted expense. I conclude that unreasonable behaviour resulting in unnecessary expense, as described in the PPG, has not been demonstrated.

M Aqbal
INSPECTOR

[1] Prior Approval Notification Statement