
Costs Decision

Site visit made on 10 March 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

Costs application in relation to Appeal Ref: APP/K0235/D/20/3244173 22 Maskell Drive, Bedford MK41 0GQ

- 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 Mrs J Jacob for a full award of costs against Bedford Borough Council.
 - The appeal was against the refusal of planning permission for the erection of a front porch.
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Decision

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

Reasons

2. Paragraph 30 of 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 the costs to incur unnecessary or wasted expense in the appeal process.
3. The applicant alleges that the Council has considered the character of the area too narrowly and that similar enclosed porches exist in the wider vicinity. The applicant is also aggrieved that, in its Officer Report, the Council did not mention her examples of other porches.
4. There is an element of subjectivity involved in the judgement of design. That said, the Council was not incorrect to assess the proposal within its specific site context. Moreover, it is clear from the Officer Report that the design of the porch was assessed in detail, against the appearance of the street-scene in which it would be seen. There is nothing wrong with this approach. The Council was not obliged to refer to the examples of the porches further afield that were provided by the applicant. The Council provided an adequate explanation in its report of the harm that would result if planning permission were to be granted. I have also found that the porch would be harmful.
5. I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, the applicant's claim for costs fails.

M Shrigley

INSPECTOR