The Planning Inspectorate

Costs Decision

Site visit made on 1 July 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Costs application in relation to Appeal Ref: APP/E2001/D/20/3250569
88 South Marine Drive, Bridlington YO15 3LT

- 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 Ms G Andrews for a full award of costs against East Riding of Yorkshire Council.
- The appeal was against the refusal of planning permission for the erection of extension to existing garage and raising of the roof to provide balustrading to create roof terrace above, erection of external staircase, enlargement and alterations to existing front balcony on east side and construction of balcony to front, installation of roof lights to the north and west elevation, installation of roof lights following conversion of loft space.

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 applicant considers that the Council has behaved unreasonably in refusing planning permission for the development and should have granted planning permission having regard to the development plan and other material considerations including the recommendation of planning officers.

4. Although it can be seen from my decision that I partially disagree with elements of the Council's decision, I find that Members of the Planning Committee did not act unreasonably in refusing planning permission contrary to the advice of planning officers. Following the decision, I consider that the Council provided a reasonable and objective analysis to substantiate its reason for refusal.

5. As a result, it follows that I cannot agree that the Council has acted unreasonably in this case. As such there can be no question that the Applicant was put to unnecessary or wasted expense.

Conclusion

6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance has not been demonstrated.

A M Nilsson

INSPECTOR