
Costs Decision

Site visit made on 15 February 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021

**Costs application in relation to Appeal Ref: APP/V1260/D/20/3262003
61 Lancaster Drive, Broadstone, Poole BH18 9EH**

- 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 B Pereira for a full award of costs against Bournemouth Christchurch and Poole Council.
 - The appeal was against the refusal of planning permission to form a new first floor loft conversion & alter existing front porch.
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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 Council's conclusion that the proposal conflicts with the development plan arises from a planning judgement that the proposal would harm the character and appearance of the area. The Council's assessment of that matter is set out in evidence, in the officer's report which identifies characteristics of the area and how the development would differ to that.
4. The appellant disagrees with the Council's assessment that the area is characterised by predominantly single storey dwellings and I, too, found that this was not a fair description of the area. However, the appeal site is in the middle of a row of 4 broadly matching dwellings. While I have found that the area's overall character is influenced by many other dwellings in the wider area, the Council's position is, therefore, not unreasonable.
5. It may well be that the Council has permitted a number of other similar developments. These include a site at 25 Meadow Rise, but that is some distance from the site and in an enclave of distinctly varied development away from Lancaster Drive. I do not find that this example points to inconsistent decision making.
6. I, therefore, find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

M Bale

INSPECTOR