



Cost Decision

Site visit made on 24 February 2021

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 08 April 2021

Cost application in relation to Appeal Ref: APP/N1730/D/20/3262721 Inglewood, Branksomewood Road, Fleet GU51 4JS

- 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 Hart District Council for a full award of costs against Mr & Mrs Grace.
 - The appeal was against the refusal of planning permission for retention of an outbuilding and provision of replacement tree planting.
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Decision

1. The application for an award of full 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 has the right to appeal if he disagrees with the decision of the Council. However, I find that the applicant did seek to respond to the requests of the Council for further information, when requested, to resolve the issues raised and only appealed when it appeared that there was no further scope for discussion and the Council had determined the application.
4. I appreciate that there was a previous application and appeal but it is my understanding that these could not be progressed for procedural reasons, necessitating the further application and the subsequent appeal.
5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

L J Evans

INSPECTOR