



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

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 contends that the appeal could have been avoided as the application was capable of being dealt through the imposition of suitable conditions. Whilst I have concluded that subject to the imposition of conditions, planning permission can be granted, I do not consider that the Council acted unreasonably.
4. From the information before me, the Council appeared to seek to work with the applicant positively and pro-actively to find a way to resolve the issues raised, but concluded that a solution had not been presented which allowed planning permission to be granted. In fact it would appear that the applicant has been somewhat dismissive of the situation and the issues raised in suggesting, for example, that there was 'ample room' for replacement trees.
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