



Costs Decision

Site visit made on 23 March 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021

Costs application in relation to Appeal Ref: APP/K3415/W/20/3264866 Land east of Tithe Barn Lane, Goosemoor Green, Nr Chorley, Staffordshire WS15 4LR

- 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 A Jeffrey for a full award of costs against Lichfield District Council.
 - The appeal was against the refusal of planning permission for change of use to dog walking field.
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Decision

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

Reasons

2. Paragraph 030 of the Planning Practice Guidance (PPG) indicates 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. Examples of unreasonable behaviour by Local Planning Authorities are set out in Paragraph 049 of the PPG.
4. The applicant states that the Council's reason for refusal does not stand up to scrutiny and makes assertions unsupported by objective analysis and have prevented/delayed development that should have been permitted.
5. The Council argue that the case and the reason for refusal were clearly outlined in the delegated report, and with regard to other approvals, each case is considered on its own merits. It was also not considered appropriate to carry out further discussions with the application for the reasons outlined in the delegated report and the application was dealt with in the time frame allocated for such an application.
6. The Council's reason for refusal is complete, well founded and specific to the application. The reasoning was substantiated by the Council in its officer report and they were entitled to make a planning judgement based on the information in front of them to determine the prior approval application. I do not find the Council's approach to be unreasonable, nor have they unreasonably prevented or delayed the development.
7. I may not agree with the Council's interpretation, but it was not an unreasonable position for the Council to take and merely a planning judgement.

8. I therefore conclude that for the reasons set out above, unreasonable behaviour during the process has not been demonstrated by the Council. For this reason, an award for costs is therefore not justified.

Paul Cooper

INSPECTOR