The Planning Inspectorate

Costs Decision

Site visit made on 5 July 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Costs application in relation to Appeal Ref: APP/P1133/D/21/3274585
13 Hawkins Drive, Teignmouth, Devon TQ14 8LT

- 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 Darrell Hill for a full award of costs against Teignbridge District Council.
- The appeal was against the refusal to grant approval required under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class AA for an additional storey extension.

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. There is no specific case made as to why the Council's behaviour was unreasonable or resulted in wasted expense. However, from the main appeal evidence and documents, I can see that the Council refused approval for the same reasons as a previous application, despite the proposal addressing some of the harms alleged. This is somewhat careless.

4. Nevertheless, although this means that not all of the reasons for refusal apply, the officer's report indicates that only the issue of height remains of concern. In light of my main decision, the Council's approach in that regard was not unreasonable. Thus, the appeal could not have been avoided and the appellant has not been put to unnecessary expense in the process.

5. 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