

Costs Decision

Site visit made on 09 September 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd September 2021

Appeal Ref: APP/P2935/Z/21/3274567

Jubilee Caravans, Ashington, NE63 8UB

- 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 Anjam Mahmood for a full or partial award of costs against Northumberland County Council.
 - The appeal was against the refusal of the Council to grant consent for advertisements described as 'Informational – fence fixed x 2 hoarding x 1'.
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Decision

1. The application for the award of full or partial costs is refused.

Reasons

2. Irrespective of the outcome of an appeal, Planning Practice Guidance advises that costs may be awarded where a party has behaved unreasonably, and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. The evidence indicates that the costs claim focuses on substantive matters relating to issues arising from the merits of the appeal. It is suggested that the appeal was avoidable and that the Council has been inconsistent in its decision making.
4. My attention has been drawn to advertisements which have recently been granted consent by the Council elsewhere on the site. However, I have detailed within my Decision Letter how the character of the site at the southern end differs significantly from that at the northern end. I have also addressed the suggested merits of the proposal.
5. Subsequently, there was therefore nothing unreasonable in the Council considering this proposal differently to the previous proposals and concluding as it did. It therefore follows that it is not the case that the appeal was avoidable.

Conclusion

6. For the above reasons, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated. The application for a full or partial award of costs is therefore refused.

T J Burnham

INSPECTOR