

Costs Decision

Site visit made on 18 October 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2021.

Costs application in relation to Appeal Ref: APP/L3815/D/21/3279436 50 Belgrave Crescent, Donnington PO19 8SB

- 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 Joanne Sykes against the decision of Chichester District Council for a full award of costs.
 - The appeal was made against the refusal of planning permission for a single storey rear extension and change of use of loft into habitable accommodation, including dormer windows to sides without complying with a condition attached to planning permission Ref. D/20/01904/DOM, dated 5 October 2020.
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Decision

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

Reasons

2. The Planning Practice Guidance (PPG) 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. The PPG states that awards against a local planning authority may either be procedural or substantive.
3. The applicant has not identified how the Council's actions in determining the planning application caused them to incur unnecessary or wasted expense and has just simply listed the costs associated with the submission of both planning applications.
4. The Council, within the Officer's Report, substantiated the reasons for refusal in a fair amount of detail. I consider that the reasons for refusal of planning permission did not amount to unreasonable behaviour resulting in unnecessary or wasted expense to the applicant.
5. Consequently I consider that unreasonable behaviour as described in the PPG has not been demonstrated and the application for a full award of costs is therefore refused.

C J Tivey

INSPECTOR