The Planning Inspectorate

Costs Decision

Site visit made on 8 March 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd March 2022

Costs Application in Relation to Appeal Ref: APP/J4423/D/22/3291805
25 Huntley Road, Sheffield S11 7PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Tom Wilkins against the decision of Sheffield City Council.
- The application Ref 21/04664/FUL, dated 1 November 2021, was refused by notice dated 14 January 2022.
- The development proposed is the formation of rooms in roof space including hip to gable extension and raising of ridge line.

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. The appellant's claim is primarily based upon inconsistent decision making by the Council, including its failure properly to assess the other altered dwellings within the streetscene and also giving too much weight to what could happen if 23 Huntley Road is altered at a later date.

4. The Council has identified that the other schemes along Huntley Road can be distinguished from the appeal scheme by reference to either their location or age and the more recent stringent application of the Supplementary Planning Guidance: *Designing House Extensions* to retain the hipped roof form. Further, the Planning Officer's report is clear as to what harm would be caused by the proposed development. The view of the Council about this harm was fully known to the appellant by the amendment sought to the approved scheme (Ref 21/0982/FUL) whereby the originally proposed gable roof form was changed to a hipped roof.

5. Although I have reached a different judgement, sufficient justification has been provided in the Planning Officer's report to support the Council's judgement and reason for refusal concerning the effect of the design and form of the proposed roof extension on the character and appearance of the host property, the pair of semi-detached dwellings and the relationship to 23 Huntley Road.

6. Although information about recent decisions concerning roof extensions along the road has now been provided, as claimed by the appellant the Planning Officer's report did not undertake any detailed assessment of the character and

appearance of the streetscene. However, even if such an assessment was undertaken, it is unlikely that an appeal would still have been necessary because of the judgement concerning the effect of the proposed development on the host property.

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated and that a full award of costs is not justified.

D J Barnes

INSPECTOR