



Costs Decision

Site visit made on 24 May 2022

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2022

Costs application in relation to APP/F4410/W/22/3291631

Land off Fox Lane, Doncaster DN5 7ET

- 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 Simon Askew for a full award of costs against Doncaster Council.
 - The application sought planning permission for the erection of a detached dwelling without complying with a condition attached to planning permission Ref 19/00986/FUL dated 12 February 2020.
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Decision

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

Reasons

2. Planning Practice Guidance (PPG) advises that costs may be awarded where a party has behaved unreasonably, and the unreasonable behaviour has caused another party to incur unnecessary or wasted expense in the appeal process. The type of behaviour that can lead to a costs award includes substantive matters such as unreasonably refusing a planning application.
3. The appellant has stated that the Council failed to make a balanced decision based on the evidence provided. It is evident though from the Council's Delegation Report and subsequent Statement of Case, that they considered the evidence put forward, including the Computer-Generated Image's provided by the appellant. The assessment contained within the Council's written evidence sets out their reasoning in relation to the development plan and provides a justification for its decision. Although there is a reliance on Conservation Officer's consultation response, given the site is in a Conservation Area, I do not consider it unusual that significant weight was placed on the advice provided by this consultee.

Conclusion

4. With the above in mind, I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. An award of costs is therefore not justified in this instance.

F Rafiq

INSPECTOR