



Costs Decision

Site visit made on 18 June 2024

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2024

Costs application in relation to Appeal Ref: APP/D2510/W/23/3329977 Ronam Cottage Pinfold Lane, Anderby, Skegness PE24 5YA

- 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 Mrs Shirley Crow for a full award of costs against East Lindsey District Council.
 - The appeal was against the refusal of the Council to grant planning permission for the erection of a detached annexe and relocation of 1 no. existing static holiday caravan.
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Decision

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

Reasons

2. Parties in planning appeals normally meet their own expenses. However, 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.
3. The applicant's cost claim states that they consider the Council behaved unreasonably by not determining similar cases in a consistent manner. I have not been provided with the substantive details of the similar schemes. Therefore I am unable to determine the level of similarities between the proposals and if the council was inconsistent in their approach.
4. Nor is the Council obliged to produce Supplementary Planning Document (SPD), although it is clear that the local planning authority referred to another SPD from South Gloucestershire. However, I have not been provided with this document, and it is not referred to within the Council's officer report or evidence. Therefore I have no way of knowing how closely this guidance was followed, but in any event, it appears that reference to the SPD was purely advice, which the officer subsequently followed up with their own concerns regarding the scheme. These concerns are matters with which I have ultimately agreed with relating to the facts of the case and evidence before me.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

K Williams

INSPECTOR