



Costs Decision

Site visit made on 30 July 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2024

Costs application in relation to Appeal Ref: APP/F4410/W/24/3342854 Tickhill Cricket Club, 1 Alderson Drive, Tickhill, Doncaster DN11 9EU

- 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 Tickhill Cricket Club for a full award of costs against Doncaster Metropolitan Borough Council.
 - The appeal was against the refusal of planning permission for new vehicle access to an existing grass car park and expanded outside seating area.
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Decision

1. The application is refused.

Reasons

2. Paragraph 030 of the Planning Practice Guidance (the PPG) indicates 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. Examples of unreasonable behaviour by Local Planning Authorities are set out in Paragraph 049 of the PPG.
4. The applicant states that amended plans were submitted in an attempt to overcome the concerns of the Council. The Council did not re-consult and based their decision on the basis of the original plans, and this constitutes unreasonable behaviour by the Council and justifies an award of costs.
5. The Council state that the amended plans were inaccurate and did not provide sufficient detail to overcome the concerns of the Council. LPA's can exercise discretion on whether to accept amendments to an application under consideration. The Officers Report clearly explained why those plans were not accepted. The allegation does not incur any additional costs to the applicant.
6. I have found that the Council's concerns with regard to the information supporting the application were justified, and the information supplied was insufficient to address the concerns in relation to tree matters and ensuring no harms were caused. There is no automatic right that amended plans be accepted by Councils, nor is an appeal the correct arena to introduce additional material, not subject to consultation, in order to progress a scheme.
7. Consequently, a refusal could be justified, and an appeal was necessary.

8. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.
9. The application for an award of costs is refused.

Paul Cooper

INSPECTOR