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## Costs Decision

Site visit made on 17 September 2024

**by Paul Cooper MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 October 2024**

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### **Costs application in relation to Appeal Ref: APP/J2373/W/24/3343013 Drumford Hotel, Queens Promenade, Blackpool FY2 9JS**

- 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 Baalaji Limited (Colin Jones) for a full award of costs against Blackpool Borough Council.
  - The appeal was against the refusal of planning permission for change of use from hotel to a self-contained holiday let.
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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 has stated that the Council relied upon vague and unsubstantiated reasoning, rather than taking a balanced approach and has given insufficient weight to material planning conditions in favour of the proposal and prioritised social management concerns rather than planning policy.
5. The Council has responded in that they made a balanced judgement in accordance with planning policy and guidance. They have considered the site-specific circumstances and have a duty to ensure new development or change of use is appropriate in scale and intensity and protect neighbouring uses accordingly. The Council have experience of the types of issues that can arise from unacceptable forms of holiday accommodation.
6. I have found that the Council's concerns with regard to the nature of the proposal were justified and information supplied in support was insufficient to address those concerns. Whilst a proposal may be acceptable in principle, the caveat remains that other policy aspects of a proposal must be satisfactory. In this case I agree with the Council's position on the merits of the 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