
Costs Decision

Site visit made on 25 February 2025

by **M J Francis BA (Hons) MA MSc MCIfA**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2025

Costs application in relation to Appeal Ref: APP/H0724/D/24/3352563 54 Grange Road, Hartlepool, Cleveland TS26 8JF

- 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 Shaun Porritt for a full award of costs against Hartlepool Borough Council.
 - The appeal was against the refusal of planning permission for replacement of existing black UPVC casement windows with new black PVCU sliding sashes to front bay window and new footpath and paved garden to front.
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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. Unreasonable behaviour in the context of an application for an award of costs may be either procedural, relating to the process, or substantive, relating to the issues arising from the merits of the appeal.
3. The applicant contends that the Council's reason for refusal is based on vague, generalised or inaccurate assertions that are contradictory and unsubstantiated.
4. I have dismissed the appeal and found that the proposed new windows would fail to preserve or enhance the Grange Conservation Area (CA) and there would be no wider public benefits that would outweigh the harm that would be caused to the significance of the CA, which is a designated heritage asset.
5. The Council's officer report discusses that the windows would be more energy efficient and has highlighted the relevant paragraph in the National Planning Policy Framework (the Framework). In fact, they agree that the design of the proposed windows, which would look like sliding sash, and includes features such as decorative horns, would be more sympathetic to the character and appearance of the host dwelling than the existing windows in the bay.
6. However, a central sash window is not traditional to the area as detailed in the Grange Conservation Area Character Appraisal, 2009, (CACA). Moreover, the Council says that timber windows are a key feature of the CA and have referred to their previous assessment of this property when planning permission for sliding sash timber windows was applied for and approved.

7. Whilst there are examples of uPVC windows in the CA, including on the host property, these windows, as set out in the CACA, have already eroded the appearance of the area. Although the proposal affects only one property, it is the cumulative effect of changing windows from wood to uPVC which can over time harm the character and appearance of an area and harm the significance of the CA.
8. I therefore find that unreasonable behaviour, resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

M J Francis

INSPECTOR