Planning Inspectorate

Costs Decision

Site visit made on 9 May 2025

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025

Costs application in relation to Appeal Ref: APP/Q4245/D/25/3360799
17 Hastings Drive, Flixton, Trafford, M41 8TG

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Eric Grubb for a full award of costs against Trafford Metropolitan Borough Council.
- The appeal was against the refusal of planning permission for replacement/maintenance of garden fence. New fence 6ft high. Old fence approx. 5ft high.

Decision

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

Reasons

2. The Planning Practice Guidance 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 appellant states that “an email to the officer to facilitate a joint site visit was ignored.”

4. The appellant also states that no adverse comments about the development the subject of the appeal were received following consultation and that insufficient consideration was given to the local circumstances when the original decision was made.

5. However, I am mindful that the Council’s officer’s report sets out why, in the Council’s view, the proposed development fails to meet the relevant planning requirements. The Council’s officer’s report provides a clear, detailed, well-reasoned and structured case in support of the refusal of the proposed development. This includes consideration of local circumstances. Consequently, in these respects, the Council did not behave unreasonably in refusing the application.

6. Taking the above into account, I am satisfied that the case officer considered the proposal in an appropriate manner, on the basis of its planning merits. Further, it is clear from the evidence before me, that the case officer had a good understanding of the development, the site and its surroundings. The Council was under no obligation to undertake “a joint site visit” and consequently, there was no unreasonable behaviour in this regard.

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

N McGurk

INSPECTOR