



Costs Decision

Site visit made on 15 July 2025

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Costs application in relation to Appeal Ref: APP/V1260/W/24/3357003 46-48 Southbourne Grove, Bournemouth BH6 3RB

- 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 Prestige Organisation Limited for a full award of costs against Bournemouth Christchurch and Poole Council.
 - The appeal was against the refusal of planning permission for a 4th storey of habitable accommodation to create 4no. self contained flats.
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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. Paragraph 049 of the PPG sets out the examples of unreasonable behaviour by local planning authorities which includes vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. The decision is ultimately a matter of planning judgement based on the merits of the proposal and the information submitted. As seen from my decision I have found that the Council had reasonable concerns about the impact of the proposed development which justified its decision relating to the impact on character and appearance and the living conditions of existing occupiers.
5. The Council produced a cogent officer's report and has substantiated its position on appeal rather than vague, generalised or inaccurate assertions. I am satisfied that the Council has undertaken an appropriate balancing exercise in light of their housing land supply and the merits of the case.
6. In addition, the reasons for refusal set out in the decision notice are complete and relevant to the application. It also clearly states the policies of the development plan that the proposal would be in conflict with. As a result, I do not agree that the Council acted unreasonably in this case.
7. Whilst the appellant has address matters in respect of not undertaking pre-application advice referenced on the decision notice, I am satisfied that they did not incur any unnecessary or wasted expense in the overall appeal process in respect of this matter.

Conclusion

8. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. For this reason, and having had regard to all other matters raised, an award of costs is not justified.

B Thandi

INSPECTOR