
Costs Decision

Site visit made on 4 November 2025

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Costs application in relation to Appeal Ref: APP/F4410/X/25/3362756

6 Shires Close, Sprotbrough, Doncaster DN5 7RG

- The application is made under the Town and Country Planning Act 1990 (“the 1990 Act”), sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Mr David Walton for a full award of costs against the City of Doncaster Council.
 - The appeal was against the refusal to grant a certificate of lawful use or development (“LDC”) for the installation of air source heat pump.
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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.

Submission by Applicant

3. The applicant asserts that the respondent:
 - (a) behaved unreasonably by refusing to cooperate with their advisors at a professional level, which would have likely resulted in the resolution of the technical misunderstandings that are now apparent, without needing to appeal the respondent’s decision;
 - (b) failed to recognise the applicant’s concerns about the respondent’s understanding and interpretation of Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”); and
 - (c) issued a delegated report that failed to meet professional standards of accuracy and logic; failed to consider all options; and was contradictory.

Submission by Respondent

4. The respondent replied stating that the reason for refusal was clear as set out in the decision notice, the Officer Report and their Statement of Case. The reasons given reflect an earlier decision of the Planning Inspectorate in respect of the same development, and no further evidence has been submitted to indicate an alternative view.

Assessment

5. The evidence before me does not suggest that the respondent refused to cooperate with the applicant's advisors. In contrast, I am in receipt of emails indicating correspondence took place between the parties. Also, after the EN was upheld, the appeals were dismissed and planning permission was refused for the same development, the respondent refused two LDC applications for the same development which gave precise reasons for refusal. Consequently, even if further discussions had taken place, it is unlikely that a resolution could have been found.
6. The applicant was advised by the Planning Inspectorate after submitting the appeal that as an EN was in force at the time, it prevented the grant of an LDC for the same development and as such, the appeal would be dismissed. Therefore, even if there were technical misunderstandings between the parties that could have been resolved, the appeal could not have succeeded. Furthermore, following consideration of the application on its merits alone, I have concurred with the respondent.
7. There is nothing before me to suggest that the respondent failed to recognise the applicant's concerns about their understanding and interpretation of paragraph (k) of Schedule 2, Part 14, Class G of the GPDO, rather the evidence suggests there was a difference of opinion between the parties.
8. The reason for refusal set out in the decision notice is complete, precise, specific, and relevant to the application. It also clearly states the section of the GPDO that the development conflicts with. This reason has been adequately substantiated by the respondent in its Officer Report and subsequent Statement of Case, which also clearly and precisely detail the relevant section of the 1990 Act that the development would fail to satisfy.

Conclusion

9. For these reasons, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A Berry

INSPECTOR