
Costs Decision

Site visit made on 19 November 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Costs application in relation to Appeal Ref: APP/T2215/W/25/3369733 Fleetdown United Football Club, Heath Lane, Dartford DA1 2QH

- 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 Kevin Webb for a full award of costs against Dartford Borough Council.
 - The appeal was against the refusal of planning permission for creation of a 3G Stadia Artificial Grass Pitch (AGP) with perimeter fencing, acoustic fencing, hardstanding areas, storage container, floodlights, spectator stands, an access footpath and associated bund.
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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. In brief, the basis of the applicant's claim is that the Council's officers recommended approval but in refusing the application the Development Control Board did not balance the public benefits of the scheme against the loss of openness. The Council does not consider that it acted unreasonably.
4. I understand the appellant's frustration that the eventual decision by the Board was not in line with the officer recommendation to approve the planning application. However, it was the right of the Board to make this decision and refuse the planning application. However, where a decision is taken contrary to officer advice there should be reasonable planning grounds and with sound, substantive and defensible evidence submitted on appeal to support the decision in all respects.
5. The officer report clearly noted that the proposal would bring certain benefits not only to the football club, but to the wider community. The report ultimately concluded that the benefits of the proposal outweighed the impacts. Therefore, the report would have highlighted in the minds of the Board's members the nature and range of the likely benefits of the scheme.
6. I also note from the subsequent Minutes of the meeting that at least one Councillor argued that the perceived benefits outweighed the costs. Thus, the available evidence suggests that the Board members would have been fully cognisant of the benefits when making their decision. Indeed, there is no substantive evidence to

suggest that the decision to refuse the application was taken without consideration of the stated benefits of the proposal.

7. Furthermore, it is clear that the concerns raised by members at the Board meeting were legitimate planning issues that were capable of being material considerations. That some of these matters had also been raised by local residents does not diminish their legitimacy. Similarly, the fact that Councillors chose to place greater weight on them than other factors does not necessarily make their eventual decision unreasonable.
8. Overall, I am satisfied that the Council's evidence in its appeal statement set out its concerns and adequately explained why the proposal was not considered to be acceptable. The Council conveyed the planning reasons why the proposal could not be supported. Therefore, regardless of my own conclusions on the proposal, the Council's case was adequately reasoned and framed within the context of the development plan.
9. I therefore find that the Council had reasonable concerns about the proposal which justified its decision. Consequently, unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

Stewart Glassar

INSPECTOR