

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE

21st May

Agenda item 11

Case Ref. 18/00066/FUL

Car Park opposite Talke Workingmen's Club, Coalpit Hill, Talke

An application for costs was made by the appellant against the Council. The application was refused and a summary of the decision is as follows;

- The appellant cites a number of reasons why costs should be awarded. The first reason relates to the Council refusing the planning application prematurely, whilst detailed designs were being developed with Staffordshire County Council as the consultee. The appellant considers that the development would have clearly been permitted if time had been allowed to complete the design process. The Inspector considers that the Council provided ample opportunity for the appellant to provide additional information during the course of the application process and therefore does not agree that the Council acted unreasonably.
- The second part of the costs application relates to the Council failing to refer to an expired planning permission for housing development of 32 houses on the same site in the Relevant Planning History section of the Committee reports. The Inspector accepts that the access requirements for a 32 house development are very different to the access requirements and visibility splays required for industrial storage use with HGV vehicles entering and exiting the site. Crucially, the previous permission did not involve relocating the bus stop which formed the Council's first reason for refusal. Therefore, the Inspector agrees that the Council has not acted unreasonably as the existence of a previous expired permission for a different use does not overcome the reasons for refusal.
- In conclusion, the inspector finds that unreasonable behaviour as described in the Planning Practice Guidance has not been demonstrated on either ground and as such there can be no question that the applicant was put to unnecessary or wasted expense.

Recommendation

That the costs decision be noted.