

Application for Award of Costs Against Manchester City Council

128380/FO/2020

Rear Garden Of 1 Mitford Road

Manchester

M14 6UL

Erection of a two storey detached dwellinghouse together with associated landscaping and car parking.

Appellant:	Mr Mohammed Akram
Date:	12 th July 2021
Prepared:	PS
Checked:	TP

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Application for costs

The following application for costs is made due to the unreasonable refusal of an application for the erection of a two storey detached dwellinghouse together with associated landscaping and car parking by the Local Authority which in turn has resulted in an unnecessary Appeal submission and costs being incurred by the Appellant.

The Planning Practice Guide sets out the following;

Local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

- preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
- not determining similar cases in a consistent manner
- failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances.

The application is made as a near identical scheme was approved in 2013 at appeal site and there have been no material changes to any circumstance which justifies refusal of the current application.

These points are discussed in detail within the Appeal Statement.

It is with respect that the Appellant asks that the application for costs be granted.