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## Costs Decision

Site visit made on 1 December 2020

**by Graham Wraight BA(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 December 2020**

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### **Costs application in relation to Appeal Ref: APP/J3720/W/20/3256220 Armescote Hill Farm, Halford Road, Armescote, CV37 8DN**

- 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 Christopher Taylor for a full award of costs against Stratford-on-Avon District Council.
  - The appeal was against the refusal to grant approval required under a development order for prior approval for the change of use of an agricultural building into two residential dwellings (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO).
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### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. The applicant submits that the Council has acted unreasonably because they based their assessment and determination of the application on the building subject to the appeal being one building as opposed to two. In particular, the applicant considers that the Council was unreasonable because they acted with a predetermined mind set and did not take on board the evidence they had been provided with, which contradicts the Council's reason for refusal and therefore their decision.
3. However, the Council's delegated Officer report covers in detail the reasons how and why they reached their conclusions that the proposal involves only a single building. Furthermore, the report directly refers to, and addresses, the case that the applicant presented. Therefore, the Council clearly justified the position that it took with regard to the contentious matter between the parties and it considered the evidence that was put forward by the applicant. Accordingly, it did not behave unreasonably in its determination of the application.

### **Conclusion**

4. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated and the application for costs fails.

*Graham Wraight*

INSPECTOR