



Costs Decision

Site visit made on 24 October 2023

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2024

Costs application in relation to appeal Ref: APP/Y3940/C/23/3316884 63 Pickwick Road, Corsham, Wiltshire SN13 9BS

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Wiltshire Council for a full award of costs against Mr Tim Stephenson.
 - The appeal was against an enforcement notice alleging operational development comprising the erection of rendered cladding.
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Decision

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

The Submissions

2. The reasons given for the costs application are, in short, that the appellant has failed to present a full statement of their case on the grounds under which he has appealed the enforcement notice.
3. I have had regard to the appellant's response in reaching my decision.

Reasons

4. 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.
5. The appellant has set out his reasons for the appeal on each of the grounds of appeal against the enforcement notice in his appeal form. This is common place; the appeal forms are not always accompanied by an appeal statement or more comprehensive 'grounds of appeal'.
6. I acknowledge that the reasons given in the appeal form under each ground is briefly stated. Nevertheless, I find these statements provide sufficient detail of the appellant's case under each ground and they provide robust reasons for making the appeal.
7. The appeal subject of this costs decision is linked to an appeal, reference APP/Y3940/W/23/3314583, made under section 78 of The Town and Country Planning Act 1990 as amended for part of the development that is the subject of the enforcement appeal. In making a ground (a) appeal, the appellant has referred to this linked appeal. The representations made by the appellant in respect of this linked appeal are wholly applicable to the deemed planning application and provide robust support for the appellant's ground (a) appeal.

8. For the reasons given above, I am satisfied that the appellant has presented a case that adequately supports his grounds of appeal against the enforcement notice. I do not find that unreasonable behaviour resulting in unnecessary or wasted expense during the appeal process has been demonstrated. Accordingly, an award for costs is not justified.

J Moss

INSPECTOR