



Costs Decision

Site visit made on 20 February 2024

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23.04.2024

Costs application in relation to Appeal Ref: APP/Y1110/D/23/3327567 79 Southbrook Road, Exeter, Devon EX2

- 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 Steve Dew-Jones for a full award of costs against Exeter City Council.
 - The appeal was against the refusal of planning permission for a bike shed on the front driveway, measuring 3x1.5m and height of 1.7m.
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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. The costs regime is intended to support a well-functioning appeal system. The applicant is seeking the reimbursement of the original planning application fee paid to the Council. This is not a cost related to the appeal process.
4. It will be seen from my decision letter that, based on the merits of the proposal and evidence before me, I agreed with the Council that the proposed development would cause harm to the character and appearance of the area.
5. It follows that I do not find unreasonable behaviour on the part of the Council, or unnecessary or wasted expense, as described in the PPG, has been demonstrated. Therefore, a full award of costs is not justified.

K Reeves

INSPECTOR