



Costs Decision

Site visit made on 29 October 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

**Costs application in relation to Appeal Ref: APP/C1625/D/24/3343114
8 Lisle Place, Wotton-Under-Edge, Gloucestershire GL12 7AZ**

- 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 Paul Jobson (Three Magnets Planning) for a full award of costs against Stroud District Council.
 - The appeal was against the refusal of planning permission for conversion and enlargement of existing garage to form 2 storey side extension and alterations to existing property.
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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. The applicant states that the Council failed to take into consideration pre-application advice¹ in the determination of the planning application. It is stated that this advice received a generally supportive response which was not reflected in the application decision and ultimately resulted in the submission of the appeal and costs incurred defending the appeal.
3. I have been provided with a copy of the pre-application advice given by the Council in which it is stated that the extension will be considered acceptable in broad terms. The sketch plans submitted as part of the pre-application enquiry appear to be broadly similar to the appeal proposal.
4. Whilst I agree that it was unhelpful that the Council's pre-application advice was ultimately not reflected in their decision and that the Officer Report did not reference the advice given in the pre-application enquiry, nonetheless this advice constitutes the informal opinion of an officer of the Council which the advice clearly states is not binding on the Council and does not prejudice any decision the Council might make subsequently.
5. I find that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated.

N Robinson

INSPECTOR

¹ Pre-application enquiry reference 2019/0645/PREDSK