



Costs Decision

Site visit made on 1 October 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2024

Costs application in relation to Appeal Ref: APP/J3720/W/24/3338849 Field View, Croft Lane, Temple Grafton, Warwickshire B49 6PA

- 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 Berry and Young for a full award of costs against Stratford-on-Avon District Council.
 - The appeal was against the refusal of planning permission for the conversion of barn to 1no. (large) dwellinghouse.
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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 applicant submits that the Council acted unreasonably by way of refusing the planning application and that this has resulted in wasted expense through the time spent preparing for the appeal.
4. Although I found differently to the Council, they suitably set out their concerns and, with reference to the Town and Country Planning (General Permitted Development) England) Order 2015 (the GPDO), justified their reasons for refusal. The appellant has not set out why the refusal of planning permission was unreasonable and so I find that the costs associated with taking the case to appeal were not unnecessary.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Samuel Watson

INSPECTOR