



Costs Decision

Site visit made on 7 February 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date:

Costs application in relation to Appeal Ref: APP/E3715/D/25/3358418

The Old Rectory, Lutterworth Road, Churchover, Warwickshire, CV23 0EH

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made Mr Joe Hallam for a full award of costs against Rugby Borough Council.
 - The appeal was against the refusal of planning permission for a single storey rear extension with small two storey element to create master bedroom, plus a loft conversion including the raising of the roof line.
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Decision

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

Reasons

2. The Planning Practice Guidance 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 appellant considers that the Council behaved unreasonably. He states that revisions, including changes to the materials proposed, were made to the proposed development prior to the Council's determination of the application, in response to officer comments. The appellant considers the approach adopted by the Council to be unreasonable "in the light of the materials" present in Churchover and considers that the proposed development would be acceptable.
4. The appellant states that the Council's planning officer appeared unwilling to negotiate and that a requested meeting to discuss the application was not accepted.
5. In refusing the application, the Council set out why, in its view, the proposed development failed to meet the relevant planning requirements. In this regard, I find that the Council's officer's report contained a clear, detailed, well-reasoned and structured case in support of its refusal of the proposed development. The Council did not behave unreasonably in refusing the application in the way that it did.
6. In this regard, I am also mindful that the appellant took the opportunity provided by the Council to amend his initial proposal. The Council concluded that the appellant's amendments did not result in an acceptable proposal and I note that the Council was under no obligation to meet with the appellant to "negotiate" amendments.

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

N McGurk

INSPECTOR