



Costs Decision

Site visit made on 26 February 2025

by **Hannah Guest BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 May 2025

Costs application in relation to Appeal Ref: APP/C1625/W/24/3347077

Edge Cottage, Edge Road, Painswick, Gloucestershire GL6 6UW

- 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 Ms Cathy Bond for a full award of costs against Stroud District Council.
 - The appeal was against the refusal of planning permission for two-storey front and side extension.
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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 PPG states that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. Examples include preventing development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; and not determining similar cases in a consistent manner.
4. The applicant states that the Council has acted unreasonably by not determining similar cases in a consistent manner and by preventing development which should clearly be permitted. Specifically, with regards to a previous grant of planning permission¹ for a similar proposal in 2011.
5. I appreciate that the outcome of the application would have been a disappointment to the applicant, particularly given the previous approval of a similar proposal. However, since the previous application was approved in 2011, the relevant policy context has changed, and the Council is legally bound to make its decisions on the basis of the development plan and national policy which are in place at the time of the decision. The Council was not unreasonable in coming to its decision. The Officers Report includes a detailed analysis of the proposal and reasoned conclusions. Indeed, following consideration of the application on its merits alone, I have concurred with the Council.
6. In addition, given that the information required to overcome the Council's second reason for refusal was only submitted during the appeal process, I consider that an appeal could not have been avoided in this case.

¹ Application Reference: S.11/1410/HHOLD

7. I conclude that it has not been demonstrated that unreasonable behaviour has resulted in an appeal which would not have otherwise been necessary, or in unnecessary or wasted expense, as described in the PPG. An award for costs is therefore not justified.

Hannah Guest

INSPECTOR