



Costs Decision

Site visit made on 16 April 2025

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2025

Costs application in relation to Appeal Ref: APP/C1570/W/24/3356475

Land Adjacent Goodacres, Church End , Broxted , Essex CM6 2BX

- 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 Stepton Limited (c/o Ceres Property) for a full award of costs against Uttlesford District Council.
 - The appeal was against the refusal of planning permission for a single dwellinghouse with associated access, parking and landscaping.
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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 appeal scheme had been recommended for approval by officers, but elected members decided to refuse to grant planning permission. It is not incumbent upon elected members to accept their officer's recommendation. Moreover, while I have had regard to matters preceding the appeal, costs can only be awarded in respect of the appeal itself.
4. While the officer's report detailed that the development resulted in less than substantial harm to the setting of the listed building and that this was outweighed by the public benefits of the scheme, members reached a different conclusion, and I am satisfied that the reasons for this were articulated and substantiated in the appeal submissions.
5. I do not consider that members have applied disproportionate weight to the heritage harm that was identified by consultees, even though I reached a different conclusion, the National Planning Policy Framework at paragraph 212 clearly states that great weight should be given to a heritage asset's conservation and that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
6. Furthermore, the council clearly acknowledges that there is a 5-year housing land supply shortfall, as such this matter is not at dispute at the appeal. Moreover, the applicant makes reference to members raising concern as to the suitability and sustainability of the site. This however was not detailed as a reason for refusing to

grant planning permission and while it is a matter raised by interested parties, it has not been disputed by the council.

7. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Mr M Brooker

INSPECTOR