



Costs Decision

Site visit made on 17 April 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Costs application in relation to Appeal Ref: APP/W1145/W/24/3355007

Five Acre, Alverdiscott Road, Bideford, Devon EX39 4PP

- 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 Torridge District Council for a full award of costs against Andrew Hutton.
 - The appeal was against the refusal of planning permission for a 5m extension is proposed to the west elevation replacing a 6m larger extension in one dimension. The roof is to be removed and replaced with a first floor. Increase curtilage to enable access and larger garden. Block up existing vehicular access with trees and shrubs to remove the view of the house from the road. Utilise the 2nd access in the north boundary to the far west of the plot to improve safety.
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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. In this instance. The Council has set out that they believe that the appellant has acted unreasonably by introducing new evidence at the appeal stage, namely information pertaining to permitted development rights.
4. However, it is clear that the appellant has every right to set out, as part of their appeal statement, why they believe their application should not have been refused. Submitting information in relation to permitted development rights to counter arguments around character and appearance is quite common and I do not consider such actions to be unreasonable.
5. With this in mind, I consider that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR