



Costs Decision

Site visit made on 10 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Costs application in relation to Appeal Ref: APP/E3715/D/25/3365273

The Old Post Office, Flecknoe Village Road, Flecknoe, Warwickshire, CV23 8AT

- 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 by Ms Duffy for a full award of costs against Rugby Borough Council.
 - The appeal was against the refusal of planning permission for alterations to the fenestration of the easterly stone section of the house, enlarging the windows and upgrading these to be triple glazed units.
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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 states that the Council acted unreasonably as in her view, the Council should have granted planning permission as the proposal was in accordance with policy. The appellant states that the Council made errors, including in respect of heritage considerations, that it did not substantiate its reason for refusal, and that its decision was based on insufficient and inaccurate evidence.
4. The appellant considers that the Council's decision was based on generalised and inaccurate assertions unsupported by objective analysis, and that its decision was issued without providing an opportunity for the appellant to discuss and revise the proposal. The appellant states that not all supporting comments were published on the Council's portal and that requested information was not provided.
5. I consider that the Council's officer's report and decision notice set out in a clear, succinct, evidenced and well-reasoned manner why the proposed development does not meet planning policy requirements.
6. There is no substantive evidence to demonstrate that in reaching its decision in the way that it did, the Council did not act in an objective manner, and I note that errors made by the Council did not result in the need for an appeal. Indeed, in reaching my decision, I concurred with the Council's overall conclusion that the proposal would result in harm to local character.

7. I note that the Council does not publish neighbour letters on its website but that they are available to view on request, and that the Council has outlined ways in which changes to a planning application might be made.
8. Given all of the above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

N McGurk

INSPECTOR