



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: 27 June 2025

Costs application in relation to Appeal Ref: APP/W1145/W/24/3351681 Endford Works, Shebbear, Devon EX21 5RY

- 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 Mr and Mrs Rumsam.
 - The appeal was against the refusal of planning permission for 33 residential units with associated landscaping and play space (amended plans).
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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 the appellant acted unreasonably in submitting further detailed viability evidence as part of their appeal statement. It is the case that late evidence should not routinely be accepted. However, given the length of the appeal process, and the changeable nature of viability information, it is not unreasonable for the appellant to provide an up to date assessment as part of their appeal documents.
4. With this in mind, while I acknowledge the Council's frustration that they have been obliged to pay for additional support from the District Valuer, 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