



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 Mr and Mrs Rumsam for a full award of costs against Torridge District Council.
 - 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 applicant has alleged that the Council has not engaged proactively and positively in the application process. This is particularly related to the Council's position that they wanted to secure five affordable units and £50,000 as part of the scheme, rather than an alternative proposal as outlined by the District Valuer. However, securing the maximum number of affordable units is clearly a corporate priority for the Council. As such, I cannot conclude that they have acted unreasonably in pursuing such a scenario, even taking into account the applicant's difficulties in finding willing Registered Providers.
4. The applicant has also raised concerns about the content of the District Valuer's assessment. However, as part of my appeal decision, I have noted that I am inclined to agree with the market values provided by the District Valuer. In any event, the Council is entitled to rely on the evidence provided to it by an independent party.
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