



Costs Decision

Site visit made on 16 June 2025

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2025

Costs application in relation to Appeal Ref: APP/F0114/Y/24/3353250

Flat 1 Ground Floor, 10 Catharine Place, Bath BA1 2PR

- 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 Thomas Doerane for a full award of costs against Bath and North East Somerset Council.
 - The appeal was against the refusal to grant listed building consent for a new roof covering to flat roof of existing rear extension.
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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, 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 applicant considers the Council has behaved unreasonably and that there are both substantive and procedural grounds for an award of costs.
4. The substantive grounds are that the Council has not identified the significance of the designated heritage asset or assessed how the proposal affects that significance. The applicant does not explain what the procedural grounds for an award of costs would be.
5. The applicant considers that the Council's assertion that the fibreglass has a 'shiny' and 'uniform' appearance is not an identification of harm; that no weight has been attributed to the similar discolouration of fibreglass and lead; and, that the Council did not recognise that the proposal concerns a non-original 20th century extension which is not visible from the public realm.
6. The Council could have been more thorough in its assessment of the significance of the designated heritage assets most affected by the proposal. However, I consider the officer report and the comments of the conservation officer are sufficient to show that the Council has understood the significance of these designated heritage assets in reaching its decision.
7. The Council's assessment of the harm that would be caused is more robust. The reasons why the use of fibreglass, a non-traditional roofing material, would be harmful to the architectural interest of the listed building in comparison with the traditional lead roof, are clearly set out.

8. Furthermore, it is clear from the *Full Comments* of the Council's conservation officer that they understood the rear extension was a non-original 'addition' to 10 Catharine Place and that the fibreglass works would not be visible from the public realm.
9. The Council considered the proposal would cause less than substantial harm to the significance of the listed building and the BCA and that there were no public benefits from the proposal that would outweigh this harm. This approach is procedurally correct and is explained in the Council's officer report.
10. For these reasons, unreasonable behaviour by the Council resulting in unnecessary or wasted expense has not been demonstrated, and so the application for an award of costs is refused.

Andrew Parkin

INSPECTOR