



Costs Decision

Site visit made on 29 April 2025

by **F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Costs application in relation to Appeal Ref: APP/W4705/W/25/3358429

31 Fairfax Road, Bingley, Bradford BD16 4DR

- 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 Fairfax Yorkshire Ltd against the decision of the City of Bradford Metropolitan District Council.
 - The appeal was against the refusal of the Council to grant planning permission for the Amalgamation of 31/31a Fairfax Road to create one residential dwelling with addition of dormer window to front elevation'.
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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. While an application for costs against the Council has been made by the appellant, no justification for the costs award is provided by the appellant in any submitted documentation.
4. A copy of an 'email trail' is provided with the appeal submission relating to contact between the appellant and the Council at planning application stage. The appellant contends that this indicates the Council *'would be happy to grant planning permission if the materiality of the dormer was to be updated to meet their definition of the word 'sympathetic.'* The appellant appears aggrieved that the application was subsequently refused planning permission.
5. I have no substantive evidence to indicate that the Council has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. Any award of costs is limited to those necessarily and reasonably incurred in the appeal process. Therefore, expenses incurred at application stage, or any indirect expenses, cannot be recovered by an award of costs in any event. Other mechanisms are available to address any perceived maladministration by the Council.

Conclusion

In view 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. Therefore, an award of costs against the Council is not justified.

F P Tinsley

INSPECTOR