



Costs Decision

Site visit made on 2 July 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 July 2025

Costs application in relation to Appeal Ref: APP/D2320/W/25/3362468

14 Southport Road, Chorley PR7 6ES

- 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 Lee Wrigley for a full award of costs against Chorley Borough Council.
 - The appeal was against the refusal of permission in principle for demolition of existing buildings and erection of 5No. dwellings.
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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. The PPG states that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. In this case, the Appellant contends that the Council has acted unreasonably by preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
4. While the Council's Planning Committee refused the appealed application contrary to the recommendation of its Officers, the Planning Committee are not bound to accept this recommendation. It is not uncommon for Planning Committee's, in applying their own judgement, to disagree with the advice of its Officers, or reach a contrary view, particularly where a judgement is required, as is the case here.
5. The transcript of the Planning Committee meeting shows that the discussion of the application was of a short duration only. However, it did include some discussion of whether the site comprised grey belt land, demonstrating that members of the Planning Committee had engaged with this issue. While the appellant is critical of the fact that little clarification was sought as to the definition of grey belt land, and the extent of debate, the appellant accepts that the Committee Report prepared by Officers set out the considerations for grey belt land in great detail and members of the Planning Committee would have been provided with this report well in advance of the meeting. As such, they would not have been ignorant of the relevant matters. Having already been appraised of the considerations in respect of grey belt land, there is little to suggest that further interjection by officers would have resulted in a different outcome.

6. While I have found the appeal proposal to be acceptable, that finding was based not only on the evidence presented by the main parties, and Green Belt policy contained within the National Planning Policy Framework (the Framework), but also on my own observations on site. It involved the application of judgement, including whether the appeal site comprised grey belt land, having regard to the characteristics of the site and its surroundings. Having considered the Council's refusal reason and evidence provided in their Statement of Case, I do not find the Council's contrary position to have been so unreasonable as to amount to an ill-judged and non-sensical decision, and so, it has not prevented or delayed development which should clearly have been permitted.

Conclusion

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

S Brook

INSPECTOR