



Costs Decision

Site visit made on 7 August 2025

by **F Wilkinson BSc (Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

Costs application in relation to Appeal Ref: APP/W4705/W/24/3355936

Land at north west side of Potter Brow Road, Baildon, West Yorkshire

- 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 Miss Louise Waller for a full award of costs against City of Bradford Metropolitan District Council.
 - The appeal was against the refusal of planning permission for change of use from stable and store to holiday accommodation.
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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. Unreasonable behaviour can be procedural or substantive.
3. The applicant considers that the Council has acted unreasonably by providing misleading information about the Flood Zone that the appeal site is within on a previous application¹ at the appeal site. This resulted in the expense of preparing a flood risk assessment and ecological reports to address the reasons for refusal, and the submission of a subsequent application.
4. The costs regime is intended to encourage use of the right of appeal rather than address unreasonable behaviour and wasted expense during the application process. Costs incurred in submitting a planning application are therefore generally ineligible for reimbursement through the appeals process.
5. I appreciate the applicant's frustration with what has occurred regarding the Flood Zone the appeal site is within. However, it is not for me to scrutinise the Council's findings on the previous application through the costs application procedure.
6. It is evident from the officer's report that the proposal that is the subject of the current appeal was assessed against the relevant national and local planning policies. While I understand that the outcome will have been a disappointment to the applicant, the Council was not unreasonable in coming to the decision that it did on this appeal scheme and following consideration of the proposal on its planning merits, I have concurred with the Council.

¹ Reference 24/00706/FUL

Conclusion

7. For the above reasons, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

F Wilkinson

INSPECTOR