



Costs Decision

Site visit made on 15 August 2025

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Costs application in relation to Appeal Ref: APP/W0530/D/25/3368892

11 Vine Close, Stapleford, Cambridgeshire, CB22 5BZ

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Simon Byrne for a full award of costs against South Cambridgeshire District Council.
 - The appeal was against the refusal of planning permission for a part single storey and part two storey side and front extension.
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Decision

1. The application for an award of costs is refused.

Reasons

2. 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 makes clear that local planning authorities (LPAs) are at risk of an award of costs if they either fail to cooperate with the other party or if they fail to produce evidence to substantiate reasons for refusal on appeal or make vague, generalised or inaccurate assertions about a proposal's impact, unsupported by any objective analysis.
4. The appellant's case is that the Council made no clear or objective assessment of the proposal in the context of its surroundings, did not take account of precedent decisions within the immediate vicinity, failed to identify any specific detailed harm and thus relied on a vague and unsubstantiated reason for refusal which could have been overcome through engagement with the appellant.
5. However, it appears to me that the LPA did assess the application in accordance with the Development Plan and other material considerations. In its delegated report it refers to the highly prominent corner plot and the visibility of the proposed extension in the street scene. It specifically identifies the scale and design of the proposed extension and the prominent and incongruous "box window" as being materially detrimental. The appellant may not agree with the Council's conclusions, but a clear and cogent assessment was made and this led to the Council's reason for refusal which sets out that it was the siting, bulk/massing, form, materials and architectural detailing that would appear incongruous in the context of the host dwelling, other dwellings and the street scene.

6. Whilst the LPA did not specifically mention other development nearby, my main decision makes clear that from what I saw I do not consider that this is readily comparable with or creates a precedent for the proposed development, given the noticeable differences in design, scale and/or layout and siting.
7. I am therefore satisfied that the Council did give proper consideration to the proposed development based on the facts, reaching its decision in the context of the Development Plan and other material considerations and backing its assessment with reference to a specific policy.
8. Moreover, the Council did engage with the appellant through a pre-application discussion, including a site visit, and gave written advice. I am thus unconvinced that any further discussion would have resolved the Council's objections, which I have found to be substantially justified. The lack of objection from consultees or neighbours does not weigh in favour of the development but is neutral in the balance.
9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated and that an award of costs is not justified.

KE Down

INSPECTOR