Planning Inspectorate

Costs Decision

Site visit made on 18 August 2025

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 September 2025.

Costs application A in relation to Appeal Ref: APP/F1610/W/25/3362790
Nothill, Cowley, Cheltenham, Gloucestershire GL53 9NJ

- 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 Ms Leigh Jameson for a full award of costs against Cotswold District Council.
- The appeal was against the refusal of planning permission for the conversion of an existing barn into a residential annexe.

Costs application B in relation to Appeal Ref: APP/F1610/W/25/3367280
Nothill, Cowley, Cheltenham, Gloucestershire GL53 9NJ

- 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 Ms Leigh Jameson for a full award of costs against Cotswold District Council.
- The appeal was against the refusal of planning permission for a self-build conversion of barn to residential annexe.

Decision

Costs application A in relation to Appeal A Ref: APP/F1610/W/25/3362790

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

Costs application B in relation to Appeal B Ref: APP/F1610/W/25/3367280

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

Preliminary Matters

3. For both costs application A (hereon known as CAA) and costs application B (hereon known as CAB) the applicant and Council submissions are identical on many points. Therefore, I have dealt with them jointly in this decision, although both applications have been considered on their own merits.

Reasons

4. 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.

5. The applicant considers that the Council behaved unreasonably by failing in its assessment of the landscape impact for both proposals that form the basis of Appeal A and Appeal B and failing to substantiate its refusal on these grounds.

6. In CAA, the applicant also asserts that the Council failed to provide evidence for the second reason for refusal relating to the effect of the proposal on the host building.

7. By failing to fully substantiate its reasons for refusal the applicant considered the Council have prevented development which should have been permitted at application stage.

8. Whilst I understand the appellant's perspective, and have allowed Appeal B, both the Council's decision notices cited relevant policies of the development plan in line with section 38(6) of the Planning and Compulsory Purchase Act 2004 as amended. From the evidence before me the Council's reasons for refusal for Appeal A and Appeal B were based on a reasonable assessment of the site, and the potential effect of the individual scheme in that context. Hence the variation in the reasons for refusal between both decision notices. The Council's position in respect of the scheme is therefore a matter of planning judgement and fairly substantiated.

9. It is noted that in CAA the applicant is concerned that the Council's landscape consultant did not visit the site. However, the Council has confirmed its decision also took account of the previous Inspectors' conclusions as well as its own assessment. It was ultimately for the Council as decision maker to attribute weight to each piece of evidence and it is no uncommon that this may be different to the applicant.

10. In conclusion, for the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and a full award of costs for CAA and a full award of costs for CAB is not warranted.

R J Redford

INSPECTOR