
Costs Decision

Site visit made on 9 September 2025

by **A Phillips MPlan BA CertHE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th October 2025

Costs application in relation to Appeal Ref: APP/C1570/W/25/3368007

Land at Eastfield Stables, Elsenham Road, Stansted, Essex CM24 8SS

- 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 Uttlesford District Council for a full award of costs against Mr James Chatten.
 - The appeal was against the refusal of planning permission for Propose new self-build dwelling and associated landscaping on existing redundant menage land
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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 Council's primary argument is that the appellant should be aware that given the previous appeal decisions for similar proposals, with the situation and policies not materially changed, then the application had no chance in succeeding. However, the previous appeal decisions that have been presented to me relate to different parts of the wider field and/or a different proposal. Therefore, this appeal is materially different. Given that the Council cannot demonstrate a deliverable five year supply of housing land as required by Paragraph 78 of the Framework, then the merits and the harms could lead to a different overall balance.
4. The appellant has sought to provide further justification regarding the site's location and access to sustainable methods of transport, including the access by foot or cycle via Alsa Street. While I have not agreed with the appellant's argument, I do not consider the appellant to have acted unreasonably in appealing the decision on this reason.
5. In so far as the effect on the character and appearance of the area, given the differences in the scheme I found the proposal did cause harm, though less than the previous schemes. Therefore, the appellant acted reasonably in presuming a different scheme would affect the overall balance of the proposal.
6. The density of the scheme remains low, even given its rural location. While I noted the appellant was seeking to provide a balance between density and protecting the character of the countryside. However, while I agreed with the Council's assessment there is not sufficient evidence to suggest the appellant acted

unreasonably in appealing given that the Council cannot demonstrate a five year land supply.

7. In my decision I have concluded that the Council has not demonstrated that the addition of one dwelling of using the secondary access via May Walk would lead to significant highway safety issues, given that this access is already used by at least 8 dwellings.
8. The proposed primary access onto the B1051 I concluded that there could be significant harm to highway safety. However, while the appellant's arguments were unconvincing, I do not consider it had no chance in succeeding. In addition, it does not appear that the Council has had to seek additional consultation costs in defending this reason for refusal and that its Delegated Officer Report adequately dealt with this matter.

Conclusion

9. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A Phillips

INSPECTOR