



Costs Decision

Hearing held on 25 and 26 June 2025

Site visits made on 26 and 27 June 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2025

Costs application in relation to Appeal Ref: APP/R3515/W/25/3361655

Land North of Mitford Close, Mitford Close, Ipswich IP1 6SE

- 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 Ipswich Borough Council for a partial award of costs against Blakeney Estates Limited, The PE Cooke Settlement and R J Cooke Settlement Trusts.
 - The appeal was against the refusal of planning permission for outline planning application with all matters reserved for residential development of up to 80 dwellings (Use Class C3), including 30% affordable housing, ancillary landscaping, garden and leisure areas, car parking, circulation space and internal access ways.
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Decision

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

The Submissions for Ipswich Borough Council

2. The costs application was submitted in writing after the hearing and in response to the appellant's costs claim. It seeks a partial award for its time taken in responding to the appellant's application for an award of costs. It considers the application was without basis and had no prospect of success.

The Response by Blakeney Estates Limited, The PE Cooke Settlement and R J Cooke Settlement Trusts

3. The response was submitted in writing and the appellant refutes the Council's claims.

Reasons

4. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance¹ (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 appellant had sought pre-application advice from the Council and responded to issues during the application process. There is no suggestion that the appellant has behaved unreasonably during the course of the appeal. I have no reason to think otherwise.
6. The decision to refuse planning permission was taken against the advice of the Council's professional planning officers. The manner and speed in which the

¹ Appeals Paragraph: 030 Reference ID: 16-030-20140306 Revision date: 06 03 2014

Committee made its decision does not fall within the remit of this application. However, and while I did find the Council had demonstrated a reasonable exercise of planning judgement in my other costs decision, in light of the work that the appellant had undertaken it was not at all unreasonable of them to submit an application for costs. I also note that the appellant's application for an award of costs was made promptly and in writing. Such applications are part and parcel of the appeal regime. It is not putting the Council to unnecessary or wasted expense for them to participate in the normal operation of the appeals process.

Conclusion

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. An award of costs is not therefore justified.

Jennifer Wallace

INSPECTOR