



Costs Decision

Site visit made on 15 September 2025

by **Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 October 2025

Costs application in relation to Appeal Ref: APP/P2114/D/25/3371013

2 St Michael's Road, St Helens, Ryde, Isle of Wight PO33 1YJ

- 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 & Mrs Andrew & Sue Tolley for a partial award of costs against the Isle of Wight Council.
 - The appeal was against the refusal of planning permission for the removal of the chimney; proposed porch; alterations to fenestration and cladding of all elevations.
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Decision

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

Reasons

2. The Government's online Planning Practice Guidance ('the 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 appellants consider that the Council's approach to two applications has been a blanket refusal to engage with them. It is considered that this is unreasonable and in addition the refusal of the appeal application is also in itself unreasonable.
4. However, the Council is correct to point out that the appellants did not make use of the pre-application service in respect of either of the applications. Had they done so, it would have presented an opportunity for some engagement on both the applications.
5. In the event, given the Council's evidence in this appeal it would be doubtful that such engagement would have led to the Council accepting the cladding and granting permission. I also note that the appellants missed the deadline for an appeal against the first refusal and that this has delayed the overall process.
6. As regard the reason for refusal, in allowing the appeal I have explained why I consider the Council's decision to be wrong. However, planning decisions and the weight given to a range of matters in the process of arriving at them, are inherently subjective. And whilst I have not accepted the planning judgements in the Officer's Report and explained my reasons why, I do not regard the decision to be so mistaken as to be 'unreasonable' as broadly defined in the PPG.
7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

8. Accordingly a partial award of costs is not justified, and the application is refused.

Martin Andrews

INSPECTOR