
Costs Decision

Site visit made on 30 September 2025

by **Andreea Spataru BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Costs application in relation to Appeal Ref: APP/W4705/W/25/3370013 Cranmore, Cockin Lane, Clayton, Bradford BD14 6PY

- 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 Mr Jawad Malik for a full award of costs against City of Bradford Metropolitan District Council.
 - The appeal was against the refusal of planning permission for the removal of Condition 3 (Permitted Development Restrictions) of planning permission 00/03026/VOC.
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Decision

1. The application for 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 PPG also makes it clear that costs cannot be claimed for the period during the determination of the planning application although all parties are expected to behave reasonably throughout the planning process. Although costs can only be awarded in relation to unnecessary or wasted expense at the appeal or other proceedings, behaviour and actions at the time of the planning application can be taken into account in determining whether or not costs should be awarded.
4. The applicant asserts that the Council's reason for refusal lacks clarity and its assessment was based on inaccurate assertions and assumptions. The applicant also asserts that the Council failed to fully understand the Green Belt policies and its assessment of the proposal did not have proper consideration to the case law presented by the applicant.
5. Whilst I have reached a different conclusion to that of the Council regarding the necessity for Condition 3, the planning decision is one which is a matter of judgement. The Council has argued why it found relevant the matter of residential curtilage in the determination of the appeal proposal and referred to the case law referenced by the appellant, although without going into specific details. Having regard to the Council's evidence in the planning officer's report, it is sufficiently clear to me that a robust assessment has been undertaken regarding the relevant matter.

6. Accordingly, it seems to me that there was a fundamental disagreement between the parties on the merits of the case, which could have only been resolved through the appeal process.

Conclusion

7. Therefore, I conclude that the Council has not acted unreasonably and thereby caused the applicant to incur unnecessary or wasted expense. A claim for costs, either in whole or in part, is therefore not justified. Consequently, the application for an award of costs is refused.

Andreea Spataru

INSPECTOR