



Costs Decision

Site visit made on 1 July 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025

Costs application in relation to Appeal Ref: APP/A0665/W/25/3361669

Land off Broad Lane, Sproston, Northwich (Grid Ref Easting: 347308

Grid Ref Northing: 366059)

- 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 G Richardson Agri Ltd. for a full award of costs against Cheshire West and Chester Council.
 - The appeal was against the refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for general purpose agricultural building.
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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 applicant alleges that the Council has acted unreasonably on substantive matters in that it prevented or delayed development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations and that it made vague, generalised or inaccurate assertions unsupported by any objective analysis.
4. The principal matter in dispute was whether the proposed building would be “reasonably necessary” for the purposed of agriculture within the unit. Whilst there was disagreement between the parties on this point, the Council clearly set out the reasons for its decision. Whilst I disagree with its position on this matter, the Council’s reasoning was based on rational argument and therefore I do not consider that the authority acted unreasonably.
5. The Council referred to another business in the ownership of the applicant, but in the context of whether there were opportunities to meet the agricultural need elsewhere on land within the appellant’s ownership and control. The Council did not act unreasonably in drawing it to my attention.
6. Consequently, the matter was one of a fundamental disagreement between the parties which could have only been resolved by way of an appeal. As such unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, an award of costs is not justified.

H Senior

INSPECTOR