



Costs Decision

Site visit made on 15 September 2025

by **F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th November 2025

Costs application in relation to Appeal Ref: APP/W0530/W/25/3367160 Land South Of Sandfield Bungalow, Mill Road, Fen Drayton, Cambridgeshire, CB24 4ST

- 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 Flack against the decision of South Cambridgeshire District Council.
 - The appeal was against the refusal of planning permission in principle for 'Erection of 2no. custom/self-build dwellings'.
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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. I have had regard to the appellant's justification relating to the accessibility of the site to local facilities and services, including local bus services. I have concluded that, although the distances to these services are significant and the nature of the routes may be challenging for some, there would be a degree of access for residents of the proposed development. While I have disagreed with the Council's conclusion that residents would be wholly reliant on the use of private cars, I do not consider their conclusion to be unreasonable, given the distances involved and the nature of the routes to these services and facilities.
4. With regard to the weight attached to custom and self-build development, the Council stated that it had given 'appreciable' weight to its provision, supported by up-to-date information regarding the level of shortfall across the district. The Council also referenced other decisions where significant weight had been afforded to such proposals in their determination.
5. I do not consider that the Council demonstrated an incorrect understanding of the Permission in Principle process, although there did appear to be some lack of clarity regarding the appropriate procedure for securing custom and self-build development at this stage. The Council concluded that only appreciable weight should be given to the fact that the proposal was for custom and self-build development, but that this was outweighed by other considerations, and therefore

planning permission should be refused. While this conclusion differs from my own determination of the appeal, I do not consider it to be an unreasonable position in the circumstances.

6. Reference was made by the Council to other appeal decisions where weight had been attached to the provision of custom and self-build housing, and an understanding that appeals had been both allowed and dismissed in this context. I am satisfied that the Council had regard to these decisions while considering the specific circumstances of this case. I therefore do not consider that the Council acted unreasonably. Each case differs in its circumstances, and while the provision of custom and self-build housing is a significant consideration, it is reasonable to attach weight to other matters which may justify refusal, as has occurred in other cases.
7. I have determined that this appeal should be allowed following a careful balancing of the main issues. The Council, in its own balancing exercise, reached a different conclusion. Nevertheless, it is my view that the application for costs essentially relates to a disagreement about legitimate matters of planning judgement and interpretation. I do not find that the Council acted unreasonably in reaching a different conclusion to my own.

Conclusion

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

F P Tinsley

INSPECTOR