



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: 06 November 2025

Costs application in relation to Appeal Ref: APP/W0530/W/25/3364329

93 Swaynes Lane, Comberton, Cambridgeshire. CB23 7EF

- 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 Dr Harriet Gray Stephens for a full award of costs against South Cambridgeshire District Council.
 - The appeal was against the refusal of planning permission in principle for 'Erection of 1no. self-build dwelling, parking and associated landscaping'.
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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 application for costs refers to the expenses incurred in submitting the planning application and preparing the Flood Risk Assessment (FRA). However, any award of costs is restricted to those associated with the appeal, rather than the planning application itself. It is not my role to determine whether the Council acted unreasonably at the planning application stage other than as it specifically relates to the appeal. There are other avenues available to the applicant to pursue allegations of maladministration, as referenced by the applicant.
4. While the Council reached a different conclusion to my own regarding the impact of the proposed development on the character and appearance of the area, I do not consider their conclusion to be unreasonable. This is a matter of legitimate planning judgement and interpretation. I therefore find that the Council did not act unreasonably in reaching a different view.
5. With regard to the costs associated with the FRA prepared by external consultants on behalf of the applicant, although this was not considered by the Council at the planning application stage, it would nonetheless have been required for the application to be deemed valid, had the Council not erred in validating the application without the FRA, it would also still have been necessary for me to review the document as part of my determination of the appeal. Therefore, the costs incurred in its preparation were not unnecessary or wasted.

6. Had the Council considered the flood risk assessment and deemed the harm associated with flooding to be acceptable and therefore the reason for refusal relating to flooding not been identified, the reason for refusal relating to character and appearance would still have remained. The Council considered this sufficient to warrant refusal of the planning application. It is therefore not reasonable to conclude that the appeal would not have been necessarily had the Council reviewed the flood risk assessment at the application stage and deemed harm associated with flooding to be acceptable.
7. I have not been presented with compelling evidence that unnecessary or wasted expense, specifically related to the flood risk assessment at the appeal stage, was incurred as a result of the Council's actions.

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