



Costs Decision

Site visit made on 18 November 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2025

Costs application in relation to Appeal Ref: APP/P2935/D/25/3373302 Elder Cottage, Mile Road, Widdrington Station, Northumberland NE61 5QW

- 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 John Russell for a full award of costs against Northumberland County Council.
 - The appeal was against the refusal of planning permission for a single storey side garage extension with single storey rear kitchen and bathroom extension and attached 'granny' annexe
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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 is seeking a full award of costs on the basis that the Local Planning Authority (the LPA) acted unreasonably by failing to consider the justification put forward for the proposed scheme and by not providing precise reasons for refusing the proposal. They also state that the LPA failed to consider a genuine fall-back position and failed to visit the site to properly assess the merits of the scheme.
4. In response, the LPA has confirmed that the Planning Statement submitted in support of the proposal was taken into account when they reached the decision to refuse the application. They further state that their findings in relation to the effect of the proposed development on the character and appearance of the area does not indicate that this document was overlooked or disregarded. Furthermore, the LPA concluded that the proposed development would not accord with the Northumberland Local Plan and the National Planning Policy Framework, which is a matter of planning judgment. Therefore, given that matters of character and appearance are subject to planning judgment and I find that the LPA has clearly identified its concerns in relation to this matter, I do not consider that the LPA acted unreasonably in this regard.
5. In respect of the fallback position, it is not disputed between the parties that development could be carried out under permitted development rights afforded under the Town and Country Planning (General Permitted Development) (England) Order 2015 and as indicated on the submitted plan¹. However, in their assessment

¹ Drawing Ref: 006 – PD Rights Plan (May 2025)

of the fallback position, the LPA clearly concluded that the suggested extensions and buildings would result in a better design and more appropriate scale of development that would appear more subordinate to the existing dwelling. As set out in my decision, I see no reason to disagree with this finding. Accordingly, I do not consider that the LPA acted unreasonably in this regard.

6. Although the applicant has queried whether or not the LPA visited the site, the LPA have confirmed that a site visit took place. The applicant refers to the need to visit the site to view where most of the development would be located and to view similar developments which are found along the same street. However, no substantive details of any of these examples has been provided either to the LPA or as part of the evidence submitted for this appeal. Finally, the LPA agree that the proposal would, by virtue of its rear location, not be visually prominent, this does not alter their findings in relation to the design and scale of the proposed development. I am satisfied that the LPA has provided precise and clear reason as to why they found that the proposal was unacceptable.
7. Whilst I appreciate that the applicant is frustrated by the lack of opportunity to discuss this with the LPA whilst the application was being considered, based on my findings in my appeal decision, I am not persuaded that this would have resulted in a different outcome. It will be seen from my decision that I agreed with the LPA that there were sufficient grounds for refusing planning permission due to the impact on the character and appearance of the area. As a result, it follows that I cannot agree that the LPA has acted unreasonably in this case, nor that an appeal could have been avoided.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

K Lancaster

INSPECTOR