



Costs Decision

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Costs application in relation to Appeal Ref: APP/J1535/X/24/3353579

The Annex, 2 Holyfield Cottages, Holyfield Road, Waltham Abbey EN9 2EL

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Matthew Isted for a full award of costs against Epping Forest District Council.
 - The appeal was against the refusal of an LDC for separate detached 2 bedroom dwelling.
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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. Council Officers, when considering evidence submitted to support an application, are required to exercise their planning judgement on the question of whether that evidence, in this case, justifies granting an LDC. Council Officers cannot be criticised for exercising their planning judgement in deciding what weight to attribute to evidence, whether this be Statutory Declarations or documentary evidence. The Council did not act unreasonably and the Appellant has not therefore wasted expense.
4. Unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified.

John Braithwaite

Inspector