
Costs Decision

Site visit made on 11 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 15th December 2025

Costs application in relation to Appeal Ref: APP/C2741/D/25/3373965

2 Longcroft, Wigginton, York, YO32 2DE

- 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 Greenwood against the decision of the City of York Council.
- The appeal was against the refusal of planning permission 'To construct a double storey side extension and single storey porch extension.'

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 has identified that the Council's failure to accept revised plans in respect of a previous similar application at the site (Ref: 24/02199/FUL) and the subsequent refusal of permission resulted in the need for the application which is the subject of this appeal. While the PPG places an onus on councils to work with applicants to avoid unnecessary appeals, my considerations are restricted to potential unreasonable behaviour in respect of the appeal before me. As such, I am unable to consider the conduct of the Council in relation to a previous application which is not subject to this appeal. The Council has confirmed that revised plans lodged in July 2025 in respect of the current application (Ref: 25/00684/FUL) subject to the appeal were those considered and upon which their decision was based. The Council has not acted unreasonably in this regard.
4. The applicant highlights contradictory advice from the Council regarding the scale of proposals that would be acceptable, as a matter resulting in additional costs. This claim relates specifically to the planning application stage and not to the appeal which is before me for determination. I am therefore unable to award costs relating to a matter which is not directly connected to the appeal. Other mechanisms are available to the applicant should they wish to seek redress regarding the Council's handling of the planning application.
5. While in most instances a site visit is beneficial to enable a planning officer to make a decision on an application, this is not an absolute requirement. I have considered the Council's submissions on this matter and am satisfied that a robust decision

was be reached without a site visit, having regard to the particular circumstances of the case, including the planning officer's familiarity with the site and the main issues for consideration in determining the application. I am therefore satisfied that the Council acted reasonably in this regard and that the lack of a site visit is not a matter directly impacting upon the planning appeal before me. Again, I note that this part of the claim relates specifically to the planning application stage and not to the appeal which is before me for determination. I am therefore unable to award costs relating to a matter which is not directly connected to the appeal.

6. The applicant has alleged that the Council relied on subjective assertions in refusing planning permission for the proposed development and has identified that the proposal complied fully with the technical requirements of the Council's Supplementary Planning Guidance: House Extensions and Alterations (SPG). Considerations relating to the impact of a proposal upon the character and appearance of an area are based, to a degree, on planning judgement. While compliance with standards is clearly relevant, professional judgement is also a critical component of reaching any decision. Although the Council's conclusion regarding the appropriateness of the proposal differs from my own, I am satisfied that the Council acted reasonably in reaching what is a justified reason for refusal. In this regard, I do not find unreasonable behaviour on the part of the Council that would warrant the award of costs.

Conclusion

7. In view of the above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. Therefore, an award of costs against the Council is not justified.

F P Tinsley

INSPECTOR