



Costs Decision

Site visit made on 2 December 2025

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 29th December 2025

Costs application in relation to Appeal Ref: APP/Z1510/W/25/3374038

Church Farm House, Compasses Road, Pattiswick, Bradwell, Essex CM77 8BG

- 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 G Collett at GAC Agricultural Contracting for a full award of costs against Braintree District Council.
 - The appeal was against the refusal of planning permission for a proposal described as an 'Agricultural Barn'.
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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 PPG stipulates that, if it is clear the LPA will fail to determine an application within the time limits, it should give the applicant a proper explanation. Additionally, in any appeal against non-determination, the local planning authority should explain their reasons for not reaching a decision within the relevant time limit, and why permission would have not been granted had the application been determined within the relevant period.
4. Although the planning application the subject of the appeal was determined 4 weeks after the statutory timeframe, the appeal was made against a refused planning permission for development rather than a failure to give notice of its decision. I have no reason to doubt the Council's reasons for the delay and found the evidence within its statement of case and decision notice to adequately articulate its objections to the scheme and the reasons for refusal, taking account of the wider context of the area and the relevant policies of the development plan.
5. There is also little evidence before me to demonstrate that unnecessary consequences for this appeal arose from inconsistencies and clear deficiencies in interpretation and timeliness on the Council's part. As a result, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, an award of costs is not justified.

Mark Caine INSPECTOR