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## Costs Decision

Site visit made on 8 January 2026

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026.

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### **Costs application in relation to Appeal Ref: APP/L3245/W/25/3375064**

#### **1 The Firs, Whitchurch, Shropshire SY13 1NL**

- 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 Shropshire Council for a full award of costs against Mr and Mrs Bruce.
  - The appeal was against the refusal of planning permission for proposed single storey rear/ side extension. Alterations to existing side single storey roof. Front porch addition, alterations to existing front single storey roof.
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### **Decision**

1. The application for an award of costs is refused.

### **Preliminary Matter**

2. The applicant does not state whether a full or partial award is sought. Nonetheless, by reason of the information contained within the application, I have interpreted it as being one for a full award and have proceeded on that basis.

### **Reasons**

3. 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.
4. The applicant, who in this case is the Council, claims that the appellant, by submitting new information not previously seen by them, has resulted in additional expense reviewing that information. It is also highlighted that the appeal process should not be used as a process to provide additional information which has not gone through public consultation or statutory consultations.
5. Paragraph 052 of the PPG states that examples of unreasonable behaviour which may result in an award of costs against an appellant include, amongst other things, only supplying relevant information at appeal when it was requested, but not provided, at application stage.
6. It is clear that the Arboricultural Impact Assessment (AIA), dated September 2025 and the Tree Protection Plan (TPP) has resolved the sole reason for refusal. Had the information being submitted during the planning application, the appeal could have been avoided. However, the appellant suggests that the AIA and TPP were not requested before a decision was made on the planning application.
7. Consequently, it appears to me that the lack of dialogue from the claimant has created uncertainty for the appellant in respect of how to proceed. The uncertainty

has subsequently resulted in the appeal submission. Therefore, I am not persuaded that the appellant has behaved unreasonably by submitting the appeal, as opposed to a new planning application.

8. Furthermore, even though the appeals procedural guide makes it clear that the appeal process should not be used to evolve a scheme, I am satisfied in this case, as set out in my formal decision, that no party has been prejudiced by the acceptance of the additional information as part of the appeal.
9. Overall, for the above reasons, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

*N Bromley*

INSPECTOR