



Costs Decision

Site visit made on 7 January 2026

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 19 February 2026

Costs application in relation to Appeal A Ref: APP/H0520/W/25/3359203

66 High Street, Warboys, Cambridgeshire PE28 2TA

- 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 Raju Goraniya for a full award of costs against Huntingdonshire District Council.
- The appeal was against the refusal of planning permission for installation of a ramp to the front entrance and internal alterations to create Class E retail/convenience store at ground floor and one residential unit on the first floor.

Costs application in relation to Appeal B Ref: APP/H0520/Y/25/3359204

66 High Street, Warboys, Cambridgeshire PE28 2TA

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 20, 89 and Schedule 3, and the Local Government Act 1972, section 250(5).
- The application is made by Mr Raju Goraniya for a full award of costs against Huntingdonshire District Council.
- The appeal was against the refusal of listed building consent for installation of a ramp, bricking up two windows, removal of two internal walls and installation of stud walls, and associated alterations for ground floor Class E unit and first floor residential unit.

Decision

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

Reasons

2. Parties in planning appeals are expected to 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 considers that the reasons for refusal in the decision notice are vague, referring to the impact of the proposed ramp but otherwise generalised. In this regard, where planning permission is refused, the Council's notice of a decision is required to state clearly and precisely their full reasons for the refusal, specifying all policies and proposals in the development plan as are relevant to the decision.
4. In this case, the reasons for refusal refer to insufficient information in relation to certain aspects of the proposal but state that the proposal is unacceptable anyway with reference to the relevant Act, development plan policies and the National Planning Policy Framework (the Framework). Notwithstanding that the decision notice does not refer separately to each element of the proposed works, it is clear and precise. Moreover, the Council's officer reports are thorough in this regard and the reasons for refusal are substantiated on appeal.
5. The applicant considers that the Council behaved unreasonably by not raising its concerns during the processing of the application, failing to cooperate, and

- providing inaccurate consultee comments after the determination date and that were not available on the public file. These concerns align with examples of unreasonable behaviour in the PPG, namely lack of co-operation with the other party, delay in providing information or other failure to adhere to deadlines, and providing information that is shown to be manifestly inaccurate or untrue.
6. The applications were made on 24 April 2024 and determined on 19 December 2024, which is beyond the prescribed time period. The reason for the delay in decision making is not fully clear, but it appears to have been in part due to a change in Council planning officers and a backlog of cases. Irrespective, there is little evidence that the Council was proactive in terms of engaging with the applicant to explain the delay or requesting a time extension.
 7. When the Council first provided the Conservation Officer consultee comments, this related to the application subject of the planning appeal but it referred to works that do not form part of the appeal proposal and it was dated 29 September 2023, which is before the application was made. The Council acknowledges that this was a mistake and it had simply issued the Conservation Officer comments made on a similar application withdrawn in 2023. This is regrettable, but the Conservation Officer comments were subsequently revised and the Council's officer reports clearly relate to the proposed works and not to the previously withdrawn scheme.
 8. The evidence with the appeal summarises the Council's concerns from the officer report as including loss of historic fabric and plan form, the ramp, and lack of information about the raising of floor levels. Therefore, notwithstanding the initially erroneous consultee comments, the applicant understood the issues and he acknowledges that the proposal would result in less than substantial harm to the heritage asset. While the parties disagree about the weight to be afforded to the public benefits in the balance, the Council did not ultimately make vague, generalised or inaccurate assertions about the proposal's impact.
 9. The Council did not raise concerns or request further information during the processing of the applications. However, the consultee comments in relation to the withdrawn applications were thorough and raised concerns about floor levels, the ramp and the adequacy of plans and details. Thus the applicant would have been aware of the Council's concerns in relation to these matters prior to making the applications subject of the appeals. As the Council considered the proposal was fundamentally unacceptable in any case, it was not unreasonable to not request amended plans when these would not have resulted in a different decision.
 10. The applicant considers the Council's concerns in relation to insufficient information were capable of being dealt with by condition. In this regard, the Framework advises local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The PPG sets out that refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead.
 11. The Council responds that details in relation to the internal floor and the ramp could not be left to condition as these are principal elements that could have significant harm. As can be seen from my appeal decision, I also found that the proposal could not be made acceptable through the imposition of planning conditions. This is because it affects a listed building and it requires listed building consent. Sufficient

detail and accurate plans are therefore necessary to enable a robust assessment of the impact of the proposal, without which the proposal cannot demonstrate that it would preserve the special interest of the listed building. Therefore, the Council did not behave unreasonably in this regard.

12. I note the allowed costs decision (ref APP/H0520/W/23/0136) relating to a refusal of planning permission for 15 dwellings. In that case, the Inspector found that the Council's reasons for refusal were not adequately substantiated on appeal and they were capable of being dealt with by planning condition. The Inspector allowed that appeal and concluded that the Council had behaved unreasonably. However, that appeal does not appear to relate to works to a listed building in a conservation area. The legislative and policy requirements and the reasons for refusal, in that case related to highways and flooding, differ. It is not directly comparable to this proposal and the award of costs elsewhere does not justify an award in this case.
13. The applicant is understandably disappointed with the Council's decision and he exercised his right of appeal in this regard. I accept that he has incurred expense in the appeal process. However, as can be seen from my appeals decision, I found harm to designated heritage assets that was not outweighed by public benefits, and I dismissed the appeals accordingly. It therefore follows that the Council did not unreasonably withhold permission for a development that should clearly have been permitted having regard to the development plan and material considerations.
14. Even accepting that the Council behaved unreasonably in relation to the delay in decision making and the provision of consultee comments that in the first instance referred to elements no longer part of the scheme, the appeals could not have been avoided. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

Conclusion

15. For the above reasons, I conclude that an award of costs is not justified and therefore the application for an award of costs is refused.

Sarah Manchester

INSPECTOR