
Costs Decision

Site visit made on 16 February 2026

by **M Willis BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26th February 2026

Costs application in relation to Appeal Ref: APP/U2750/W/25/3375677 Sedgefield House, Ainderby Steeple, Northallerton, North Yorkshire DL7 9JY

- 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 S Tweddle for a full award of costs against North Yorkshire Council.
 - The appeal was against the failure of the Council to issue a notice of their decision within the prescribed period on an application for planning permission to build a steel framed agricultural building.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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 makes clear that a local planning authority may be at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. This can include by failing to determine planning applications and preventing and delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
4. The PPG also encourages local planning authorities to properly exercise their development management responsibilities and to rely only on reasons for refusal which stand up to scrutiny on the planning merits of the case and not to add to development costs through avoidable delay.
5. In this case the Council failed to give notice of its decision on the application within the prescribed period. Although I appreciate the Council may have some resource issues, I have seen no evidence that it sought an extension of time to determine the application. The Council has also confirmed it did not raise the public's concerns regarding the need for the building and its relationship with the nearby wedding events business as being a potential issue with the appellant until September 2025. This was more than 4 months after the application had first been validated and processed and two months after the prescribed date by which a decision on the application was due. The need for a floor plan to demonstrate the internal layout and uses of the building was similarly not raised.

6. If the Council considered the information relating to the use of the building as necessary for it to be able to make a decision on the application then it could have requested this at any point during the prescribed period the application was under consideration or, if necessary, refused the application. Furthermore, if a floor plan was necessary to validate the application, then this should have been sought before the Council accepted, validated and processed the application. However, neither of these options were taken.
7. In any case the Council confirmed in its appeal submission that there was no evidence to support the public's concerns about the appellant's alleged intentions for any potential alternative use of the building. It also confirmed that, in any event, any future use could be suitably regulated by a condition, allowing the Council to review and address such matters if they were to arise. In my separate decision, I have found that the proposal is compliant with development plan policy or where necessary, conditions were capable of being used to resolve any outstanding matters to make the development acceptable. This is the same view as that of the Council and one which they could have reasonably made within the prescribed period thereby avoiding the need for, and expense associated with, the appeal.

Conclusion

8. For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has occurred and a full award of costs is therefore warranted.

Costs Order

9. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that North Yorkshire Council shall pay to Mr S Twedde, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
10. The applicant is now invited to submit to North Yorkshire Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

M Willis

INSPECTOR