



Costs Decision

Site visit made on 25 February 2026

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

Costs application in relation to Appeal A Ref: APP/P1133/W/25/3365830

Land adjacent to The Beeches, Vicarage Road, Cockwood EX6 8RE

- 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 Mrs P Parkes for a full award of costs against Teignbridge District Council.
 - The appeal was against the refusal of permission in principle for micro-dwelling on site of existing garage.
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Costs application in relation to Appeal B Ref: APP/P1133/W/25/3365831

Land adjacent to The Beeches, Vicarage Road, Cockwood EX6 8RE

- 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 Mrs P Parkes for a full award of costs against Teignbridge District Council.
 - The appeal was against the refusal of permission in principle for a self-build house and garage.
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Decision – Application in relation to Appeal A

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

Decision – Application in relation to Appeal B

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

Preliminary Matters

3. The applications have been submitted by the same applicant. They are made in respect of Appeals that relate to very similar proposals on the same site with similar main issues; and the same can be said for the Costs applications. Accordingly, I have dealt with the applications together in my reasoning.

Reasons

4. 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.
5. The applicant submits that the Council behaved unreasonably with respect to the substance of the matter under appeal by not substantially defending its position at appeal. Thus, it is suggested that the Council failed to provide evidence to substantiate each part of the reasons for refusal during the appeal process, or address the substantive arguments in the applicant's statement of case in any way,

- and thereby prevented or delayed development which should be permitted at a time when there is a serious shortfall of homes in the Council area.
6. The applicant is of the view that the Council might not have a five year supply of deliverable housing sites (5YHLS) following the publication of the revised National Planning Policy Framework (Framework) in December 2024 and the requirement to calculate housing need based on the new standard method. The Council does not appear to have engaged with this matter and has relied on its Annual Monitoring Report (AMR) from December 2024, which demonstrates a supply of 5.1 years of deliverable housing sites.
 7. At the time that the Council assessed the proposals the AMR was still a relatively recent publication. With reference to Paragraph 78 of the Framework, it is now over a year old, however it was not when the Council submitted its appeal statement. Furthermore, the applicant has not produced any substantive evidence to challenge the Council's position.
 8. It is suggested that the only issue raised by the Council is whether the proposals would be outside the settlement limits, and that if the Council could not demonstrate a 5YHLS and Paragraph 11 d) of the Framework was engaged, then permission might have been granted.
 9. However, the Council also referred to the Area of Great Landscape Value in the refusal reasons for both decisions. An understanding of the contribution that the site currently makes to the character and appearance of the area, and the actual impact of development on the character and appearance of the area is not clearly provided in the Council's assessment of either proposal. However, the officer report for the Appeal B proposal does demonstrate a basic assessment of the characteristics of Cockwood and the need for a tight settlement limit to ensure that further residential development does not erode its character. This position is repeated in the Council's appeal statement.
 10. Furthermore, I have found the Council's concerns regarding the impact of the Appeal A proposal on the living conditions of the occupiers of the neighbouring dwellings to be reasonable and an appropriate matter to be considered for this permission in principle proposal, on the basis of the significantly constrained and modestly sized site.
 11. Therefore, even if the Council had revised its position with regard to its 5YHLS and found itself lacking, I am unable to conclude that permission for either scheme would have been forthcoming. Indeed, having engaged Paragraph 11 d) in the appeal decisions I dismissed the appeals. As such, it cannot be said that the behaviour of the Council has prevented or delayed development which should have been permitted.
 12. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A Tucker

INSPECTOR