
Costs Decision

Site visit made on 8 December 2025

by **E Clifford BA (Hons) MA**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2026

Costs application in relation to Appeal Ref: APP/F1610/W/25/3369773

2 Church Villas, Church Lane, Bledington, Gloucestershire OX7 6XD

- 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 Alan Turner for a full award of costs against Cotswold District Council.
 - The appeal was against the refusal of planning permission for erection of self-build one bedroom dwelling/coach house.
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Decision

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

Appeal Procedure

2. An Appeal Planning Officer has set out the recommendation below, to which the Inspector has had regard before deciding the application

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 provides examples of unreasonable behaviour by local planning authorities. This includes substantive matters such as preventing or 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 application for costs centres on the appellant's concern that the Council acted unreasonably in reaching its decision on the planning application as it confirmed it would not be defending the appeal once the appeal had begun.
5. However, the Council's statement of case cites a material change in circumstances setting out that the level of harm arising from the scheme would not be sufficient to significantly and demonstrably outweigh the benefits, particularly in the context of the current housing land supply shortfall.
6. It is clear that the Council's decision on the planning application that led to the appeal was made on the basis of the established 5-year Housing Land Supply (HLS) position at that time. It did not publish its updated HLS figure until some months after the decision on the application. Basing its determination on speculative information or a revised HLS figure that had not yet been calculated or published could have led to unsound decision-making.

7. Furthermore, the Council was informed of the appeal by the start letter dated 24 July 2025 with the timetable requesting its statement of case by 28 August 2025. The Council was within its rights to use the period provided to review its position and could not have been expected to pre-empt the appeal or the appellant's statement of case.
8. Furthermore, a planning balance between any harm identified weighed against other material considerations is distinct from the specific requirements of Paragraph 11d of the National Planning Policy Framework in light of a HLS shortfall. Whilst the appeal has subsequently been allowed, I find that the Council was not unreasonable in coming to its own view in terms of the subjective matter of character and appearance when considered against the relevant policies within the development plan and the material considerations at that time.
9. Consequently, unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process, as described in the Planning Practice Guidance, has not been demonstrated. I therefore recommend that the application for costs is refused.

E Clifford

Appeal Planning Officer

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the application for an award of costs is refused.

M Russell

INSPECTOR