



Costs Decision

Site visit made on 5 May 2026

by **M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 May 2026

Costs application in relation to Appeal Ref: APP/D2320/W/26/3377587

69 Carr Lane, Chorley, Lancashire PR7 3JF

- 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 Ms Michelle Donaghey [Northridge Care Group] for a full award of costs against Chorley Borough Council.
 - The appeal was against the refusal of the Council to grant planning permission for the, 'change of use of the dwellinghouse (use Class C3) to a young person's home (use class C2) for a maximum of one young person with carers as required, but no more than two carers resident overnight working on a rota basis.'
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Decision

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

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. It goes on to state that Local Planning Authorities are at risk of an award of costs if they behave unreasonably with respect to the procedural handling of the case, and the substance of the matter under appeal. The applicant's cost claim is made on the basis that the planning committee unreasonably refused the application, contrary to the officer recommendation without the support of technical evidence from consultees.
4. The fact that the planning committee reached a different conclusion to its officers does not, in itself, amount to unreasonable behaviour. Decision-makers are entitled to exercise their planning judgement, provided that they have regard to the material before them. This includes written documentation as well as oral material given by public speakers. While the minutes of the meeting are extremely brief, the Council made its decision following discussion after a public meeting. It also substantiated its reasoning in its statement of case.
5. The Council has explained that committee members were concerned about the likely pattern and timing of comings and goings associated with the use, including staff shift changes and visits, and the implications of those movements for neighbours living conditions. The Council also raised concerns about on-street parking and the effect of parking activity, including at unsocial hours, on the living conditions of nearby residents.

6. The lack of objections from statutory consultees including the Highway Authority and Environmental Health does not necessarily indicate a lack of harm, particularly as that given party may be looking at development through one particular lens. It does not automatically follow that a proposal should be approved simply because no consultee objections were received.
7. While I have not concurred with the Council's view in my decision, I am satisfied that the effect of the proposal on the living conditions of neighbouring occupiers is a matter of planning judgement, having regard to the particular circumstances of the proposal and its location. I acknowledge that the applicant does not agree with the Council's consideration of the proposal. However, there is no compelling evidence to suggest its concerns were unreasonable, irrational or unsupported without evidential basis.
8. As I have found that the Council did not behave unreasonably, it is unnecessary for me to consider whether the applicant incurred unnecessary or wasted expense.

Conclusion

9. Unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated and an award of costs is not warranted.

M Clowes

INSPECTOR