
Costs Decision

Site visit made on 20 January 2026 by T Morris BA (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2026

Costs application in relation to Appeal Ref: APP/R0660/W/25/3375514 Marbury Farm Equestrian Centre, Wrenbury Road, Marbury, Cheshire East SY13 4LU

- 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 RG & SK Evans for an award of costs against Cheshire East Council.
 - The appeal was against the refusal of planning permission for redevelopment of equestrian centre (and associated agricultural/commercial buildings) to provide 7 residential dwellings.
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Decision

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

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the application.

Reasons for the Recommendation

3. 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. Costs may be awarded to any parties regardless of the outcome of the appeal.
4. In terms of procedural matters, the application for costs is partly based on the applicant's concerns regarding both a lack of and inconsistent and confusing communication from the Council, including the changing of the decision level without justification, and discussion regarding the room sizes of the proposed dwellings. On substantive grounds, the applicant also believes that the Council were inconsistent in the approach to decision making in terms of location sustainability.
5. However, the applicant's concerns regarding the communication they received and the way in which the decision was made at the planning application stage does not amount to unreasonable behaviour. This is because costs awards made against a local planning authority on procedural grounds must relate to the appeal process, not the planning application process. There is nothing before me to suggest that the Council has behaved unreasonably in terms of the appeal procedure.
6. With regards to the issue with the floorplans, the Council's pre-application advice clearly states that the development should comply with the Nationally Described

Space Standards. The Council were not therefore unreasonable to refuse the application based on the floorplans. Moreover, the appeal would have had to have been submitted in any event as this was not the only reason for refusal.

7. In terms of its consistency of decision making and what has thus led to the appeal once the applicant invoked their right and choice to do so, the Council has ultimately substantiated its reasons for refusal in its decision notice and supporting appeal documents, including with reference to the relevant development plan policies. Although the applicant disagrees with the Council's findings, there are differences between the current appeal and the cases put forward by the applicant, as is set out in the main appeal decision. The Council was therefore reasonable in making its decision on the planning application.

Conclusion and Recommendation

8. I therefore conclude that the Council did not behave unreasonably in reaching its decision on the planning application. Unreasonable behaviour or wasted expense has not been demonstrated. I therefore recommend that an award for costs is not justified.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the application for an award of costs is refused.

John Morrison

INSPECTOR