Planning Inspectorate

Costs Decision

Site visit made on 10 March 2026

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th August 2026

Costs application in relation to Appeal Ref: APP/J1535/D/25/3377088
Ringinglow High Road, Epping, Essex CM16 4DQ

- 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 Holly Shepherd for a full award of costs against Epping Forest District Council.
- The appeal was against the refusal of the Council grant planning permission for development described as 'demolition of existing conservatory and part demolition of rear elevation to create two storey rear extension and 1.5 storey side extension, extension of southeast facing roof to create front porch, refurbishment of existing house and associated landscape works'.

Decision

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

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. Examples include failing to produce evidence to substantiate a reason for refusal or relying on vague, generalised, or inaccurate assertions about a proposal's impact.

3. The applicant submits that the Council failed to quantify, score and weight the proposals alleged, perceived and adverse impact on the openness of the Green Belt. The committee report details the harm to the Green Belt, referring to local and national policy, which refers to any harm, including harm to openness should be afforded substantial weight. The Council also quantified the volumetric increase that would result from the proposal.

4. The proposal is described on the application form as extensions to the existing dwelling. The Council accurately assessed the proposal against paragraph 154 c) of the National Planning Policy Framework. I have given a view on whether or not the site would be previously developed land for this purpose in the accompanying decision and I cannot see more than a small amount of additional work that it has taken for the applicant to make that argument in their appeal evidence.

5. The committee report details that the proposal is inappropriate development in the Green Belt and therefore in accordance with the Framework should not be approved except in very special circumstances. It confirms that no such have been presented to outweigh the harm to the Green Belt. Accordingly, the Council's assessment of this matter was not unreasonable. It arose out of a balanced judgment.

6. The applicant submits that the Council failed to properly explain the proposals and present elected committee members (in writing or orally) with all relevant information from supporting documents and to explain to members the legal requirements before coming to a formal decision. No audio transcripts or recordings of minutes of the meeting have been provided. It is however the case that members are not required to accept the advice of its professional officers and are entitled to exercise their own planning judgement and reach a different conclusion. Concerns over the behaviour and conduct of members during the meeting are matters to be taken up with the Council.

7. With the above in mind, I am satisfied on the evidence before me that the Council adequately substantiated its refusal reasons through a sufficiently detailed and objective analysis of the proposal's impacts, and why it would not be acceptable, having regard to relevant development plan policies. Consequently, I find that the applicant has not incurred unnecessary or wasted expense in the appeal process through any alleged unreasonable behaviour.

Conclusion

8. I have considered all the submitted evidence and my representative's report, and I concur that unreasonable behaviour has not been demonstrated resulting in unnecessary or wasted expense in the appeal process. An application for the award of costs is therefore not justified. It is hereby refused.

John Morrison

INSPECTOR