



Costs Decision

Site visit made on 30 October 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 December 2025

Costs application in relation to Appeal Ref: APP/P4225/W/25/3367862

Harwood Fields Farm Castle, Hill Road, Birtle, Rochdale BL9 6UL

- 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 & Mrs S & T Robinson for a full award of costs against Rochdale Metropolitan Borough Council.
 - The appeal was against the refusal to grant the approval for details required by conditions of a planning permission for the conversion and extension of part of an existing stables building (inc. demolition of the remainder of the stable block and associated structures) to form one dwelling.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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. Costs applications may relate to events before the appeal or other proceeding was brought.
3. The Council refused to discharge Condition 11 due to the absence of the proposed ground floor levels and building finished floor levels details. However, the Council have confirmed that ground floor levels and building finished floor levels were provided but not uploaded to their document management system. Therefore, the 'SR-24-09-23-B3 Ground Levels and Floor Level (amended 16/03/2025)' plan was not considered by the Case Officer when reviewing the application. The Council has indicated that had it been aware of the aforementioned plan, it would have approved the application as it has decided not to defend the appeal.
4. Whilst unintentional, had the Council assessed the ground and floor levels plan they would have approved the discharge of Condition 11, avoiding the appeal altogether. The Council has therefore behaved unreasonably and this has directly caused the appellant to incur unnecessary or wasted expense through the preparation and submission of the appeal.
5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that a full award of costs is justified.

Costs Order

6. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Rochdale Metropolitan Borough Council shall pay to Mr & Mrs S & T Robinson the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
7. The applicant is now invited to submit to Rochdale Metropolitan Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

N Unwin

INSPECTOR