



Costs Decision

Site visit made on 3 February 2026

by **C Housden BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th February 2026

Costs application in relation to Appeal Ref: 6001994

7 Old Road West, Gravesend, Kent DA11 0LH

- 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 Marco Manente for a full award of costs against Gravesend Borough Council.
 - The appeal was against the refusal of planning permission for formation of vehicular access on to B261 and provision of one off-street parking space in front garden with associated hard standing.
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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.
3. The application for costs is made by the applicant on the basis of the Council persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable, failing to produce evidence to substantiate each reason for refusal and preventing or delaying development, which should clearly be permitted.
4. A number of appeal decisions and applications for driveways have been granted planning permission within the wider area. Whilst these other schemes are material considerations, their existence does not mean that the effect on the character and appearance of the area and on highway and pedestrian safety for all other similar proposals along Old Road West is a settled matter. Each proposal should be assessed on its individual planning merits based on the available evidence. Furthermore, previous inspectors have not highlighted that any element of this specific scheme at this specific site is acceptable.
5. Both of the Council's reasons for refusal are supported by a comprehensive officer report, setting out relevant context and exercising planning judgement. Importantly, it specifically highlights contextual differences between the appeal site and other examples within the area, which provides substantive reasoning in differentiating this scheme from other similar ones within the area. Particularly, in relation to highway safety this is stated as being due to the proximity of the appeal site to the junction, and regarding character and appearance due to this part of Old Road West being predominantly enclosed with low walls on the frontage boundary rather

than open driveways. Both of these positions are reasonable and have been substantiated, even if I did not agree with the Council on the overall effect on character and appearance.

6. The Council did not refer to Manual for Streets 1 & 2 in its refusal of the application, and it relied on a variety of documents, including local guidance which has not been formally adopted or been subject to public consultation. It further refused the application on highway and pedestrian safety grounds, despite the County Highway Authority not objecting to the proposal, subject to the imposition of conditions.
7. However, the Council has clearly set out and substantiated its concerns relating to highway and pedestrian safety and linked this to conflict with relevant development plan policies. It further adequately explains in the officer report its differing opinion to the County Highway Authority. Furthermore, a lack of reference to Manual for Streets is not unreasonable provided the associated reason for refusal has been adequately substantiated, which I consider to be the case.
8. The applicant considers that the Council has acted contrary to paragraph 39 of the National Planning Policy Framework, requiring Council's to approach decisions in a positive and creative way. However, given the deficiencies in relation to highway and pedestrian safety, and the substantiated concerns regarding character and appearance, the Council were not unreasonable in refusing the application.
9. The applicant also contends the Council has an overall high refusal rate of planning applications. However, this is not relevant to whether the Council has behaved reasonably in this specific case.
10. As such, the reasons for refusal have been adequately substantiated and the Council has not persisted in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable. I am therefore satisfied the Council has not prevented or delayed a development which clearly should be permitted.

Conclusion

11. Unreasonable behaviour resulting in unnecessary or wasted expense, as defined in the PPG, has not been demonstrated. Accordingly, the application for costs is refused.

C Housden

INSPECTOR