Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Costs Decision

---

by Declan K Beggan BSc (Hons) MSc DipTP DipMan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 04/09/2026

Costs application in relation to CAS-04831-S0Q2H8

Site address: Stables, Gatewen Road, New Broughton, Wrexham

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
- The application is made by Wrexham County Borough Council for a full ward of costs against Gloria Seale-Beglin.
- The appeal was in connection with an appeal made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- A site visit was made by the Inspector on 2 June 2026.

Decision

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

Reasons

2. The Section 12 Annex ‘Award of Costs’ of the Development Management Manual (‘the Annex’) advises that, parties are expected to meet their own costs at appeal and irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The thrust of the costs’ application refers to the appellant acting unreasonably in pursuing the appeal having been offered informal officer advice on a number of occasions via e mails in addition to a meeting with Council 0fficers about the merits of the case as explored in my main decision. In short, the officer advice prior to the submission of application subject to this appeal and during its consideration, was quite categoric in terms of the merits of the case and ultimately resulted in the refusal as issued on 18 December 2025.
4. The Annex advises substantive awards may occur when development to which an appeal relates is clearly not in accordance with the development plan and/or stands little prospect of success, and no other material considerations such as national planning policy are advanced that indicate the decision should have been made otherwise, or where other material considerations are advanced, there is inadequate supporting evidence. The Annex also states, substantive costs may be awarded where the applicant or appellant has, without good reason or justification, failed to adhere to advice issued by the local planning authority as part of pre-application services, where that advice would have

caused the avoidance of an appeal or consideration of those matters by the Welsh Ministers as part of the application, or the issues being considered as part of an appeal or application being narrowed.

5. The Council were quite categoric in terms of the proposal's unacceptability both prior to submission when they offered advice and during the course of their determination of the application, and as rightly pointed out by them, the appellant chose to ignore that advice and subsequently pursued the appeal on matters of principle and detail that stood little prospect of success due to the planning policy position and the dearth of evidence in terms of other material considerations to indicate a decision contrary to the Council's previous advice; Ultimately I concurred with the Council stance in 4 out of the 5 reasons for refusal.

6. The appellant's behaviour was unreasonable for the reasons given above and has resulted in unnecessary or wasted expense as described in the Annex.

7. The Council did not clarify whether their costs application was made in full or for a partial award; in the absence of that clarity I have considered it as a full application, however for reasons that will be explained I have made it a partial award. I have considered each of the Council's reasons for refusal and have supported four out of five reasons for refusal. As regards refusal reason 4 relating to the submission of a Green Infrastructure Statement, this was a matter of planning balance/judgement based on the application submissions and as a result I do not consider the fact that the appellant appealed this aspect of the refusal reason should weigh against her, and therefore it would be unreasonable to apply any costs to this element of costs the claim. In addition, in relation to refusal reason 3 (highways) and 5 (drainage), whilst I accepted the Council's position, these were matters of planning judgment and I don't consider it appropriate that the appellant be pursued for costs in terms of these grounds of refusal.

8. In terms of refusal reasons, 1 and 2, the Council supported their stance of the unacceptability of the scheme in principle and indeed prior to the submission of the application and upto the point of determination; the appellant knowing that policy stance pursued an appeal that as described in my main decision stood little chance of success as it was bereft of any substantive/meaningful evidence to indicate otherwise. The appellant had the chance during this appeal process to augment justify their stance by advancing other material considerations, but such evidence of substance was not forthcoming. The appellant's stance in pursing an appeal on these grounds was unreasonable and resulted in unnecessary or wasted expense being incurred by the Council.

9. For the reasons set out in my decision to dismiss the appeal, I found that the Council's arguments for refusing the proposed development had regard to national and local planning policies/advice and were in the main wholly justified and entirely reasonable. The appellant's stance in pursing the appeal was unreasonable which has resulted in unnecessary or wasted expense as described in the Annex and a partial award of costs is justified.

Costs Order

10. In the exercise of the powers under sections 78, 322C and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all enabling powers in that behalf, IT IS HERBY ORDERED that Gloria Seale-Beglin shall pay Wrexham County Borough Council, the costs of the appeal proceedings described as above, limited to those costs incurred in adducing evidence specifically related to refusal reasons 1 and 2 of the Council's decision notice Ref. P/2025/0783, dated 18 December 2025.

11. The Applicant is now invited to submit to Gloria Seale-Beglin, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs office is enclosed.

Declan K Beggan

INSPECTOR