
Costs Decision

Site visit made on 3 April 2018

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2018

**Costs application in relation to Appeal Ref: APP/Q1153/W/17/3181837
Tor Brae, land north of Bolts House, Lydford, Okehampton, Devon, EX20
4BE.**

- 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 C Middler for a partial award of costs against West Devon Borough Council.
 - The appeal was against the refusal of planning permission for the erection of four dwellings including three starter homes and one self-build dwelling.
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Decision

1. The application is refused.

Reasons

2. Planning Practice Guidance advises that parties in planning appeals normally meet their own expenses. Where a party has behaved unreasonably, and this has caused another party to incur unnecessary or wasted expense in the appeal process, they may be subject to an award of costs. However, costs that are unrelated to the appeal are ineligible and cannot be claimed for the period during the determination of the planning application.
3. The applicant's claim for a refund of his pre-application fee and his concerns regarding the Council's handling of the pre-application process are not matters that I am able to consider. Instead, these may be more appropriately directed to the Council's complaints procedure for investigation.
4. It has not been demonstrated that the Council behaved unreasonably during the appeal and caused the appellant to incur unnecessary or wasted expense. The application for an award of costs should not therefore succeed.

Neil Pope

Inspector