
Costs Decision

Site visit made on 17 November 2020

by P N Jarratt BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 December 2020

**Costs application in relation to Appeal Ref: APP/W1145/C/20/3254284
Orchard House and Russett House, Little Lashbrook, Thornbury, Devon,
EX22 7BA**

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Janet Anne Pearson for a full award of costs against Torridge District Council.
 - The appeal was against an enforcement notice alleging change of use of barn to dog kennels
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Decision

1. The application for an award of costs fails.

Reasons

2. The Planning Practice Guidance 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. Parties in planning appeals and other planning proceedings normally meet their own expenses.
4. The costs regime is intended to support a well-functioning appeal system and encourage proper use of the right of appeal. It is aimed at ensuring that all those involved in the appeal process behave in an acceptable way and are encouraged to follow good practice, whether in terms of timeliness or in quality of case.
5. The appellant's claim for an award of costs fails to take note of the Planning Practice Guidance advice in respect of such claims. No cogent reason is provided to support a view that the local planning authority's action could possibly be considered as representing unreasonable behaviour in the circumstances of this case in any substantive or procedural manner.
6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated.

P N Jarratt

Inspector