
Costs Decision

Site visit made on 3 May 2022

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

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

Decision date: 24 MAY 2022

Costs application in relation to Appeal Ref: APP/D2510/W/22/3291656 Land off Horncastle Road Louth Lincolnshire LN11 9QT

- 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 Joe Ramsden for a full award of costs against East Lindsey District Council.
 - The appeal was against the refusal of planning permission for the erection of 2no. detached houses and construction of a vehicular access.
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Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance (the PPG) advises that parties in planning appeals are normally expected to meet their own expenses. Irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby causes the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The application essentially relies on the allegation that the Council has failed to produce evidence to substantiate the reasons for refusal and has relied on vague, generalised or inaccurate assertions.
4. It will be seen from my decision that I agree with the Council and that the reasons for refusal did set out clearly the Council's case and that those reasons could be substantiated.
5. Consequently, it must follow that I cannot agree that the Council has acted unreasonably in this case. As such there can be no question that the Applicant was put to unnecessary expense.

Conclusion

6. I therefore conclude that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated. For this reason, and having regard to all other matters raised, an award for costs is therefore not justified.

Edwin Maund

INSPECTOR