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## Costs Decision

Site visit made on 9 August 2022

**by Samuel Watson BA (Hons) MSc MRTPI**

**An Inspector appointed by the Secretary of State**

**Decision date: 5 September 2022**

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### **Costs application in relation to Appeal Ref: APP/G2435/W/22/3295098 63 Nottingham Road, Kegworth, Derby DE74 2FH**

- 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 M Barker-Lane for an award of costs against North West Leicestershire District Council.
  - The appeal was against the refusal of planning permission for the demolition and erection of five dwellings and associated works.
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### **Decision**

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

### **Reasons**

2. The Planning Practice Guidance (PPG) makes it clear that parties in planning appeals normally meet their own expenses. All parties are expected to behave reasonably to support an efficient and timely process. Where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, they may be subject to an award of costs.
3. The applicant has indicated that they wish to apply for costs but has not provided any evidence to support their claim. In the absence of any evidence to support this claim, I find that unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process has not been demonstrated.
4. I conclude that an award of costs would not be justified in this case.

*Samuel Watson*

INSPECTOR