



Costs Decision

Site visit made on 30 January 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Costs application in relation to Appeal Ref: APP/K0235/D/22/3312830 College Farm House, Old Harrowden Road, Harrowden, Bedford MK42 0TB

- 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 Ms C Nunn for a full award of costs against Bedford Borough Council.
 - The appeal was against the refusal of planning permission for proposed retrospective planning application for timber fencing together with timber sheds.
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Decision

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

Reasons

2. The Planning Practice Guidance (PPG) 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. The applicant believes the Council failed to consider the context of the site, landscaping and reduced visibility due to a former hedge and therefore acted unreasonably and that this behaviour has caused the Appellant unnecessary expense.
4. It will be seen from my decision that I agree with the Council and that there were sufficient grounds for refusing planning permission relating to the effect of the proposal on the character and appearance of the area. I have found that the Council had reasonable concerns about the effect of the development which justified its decision.
5. I do not agree with the Council that there were sufficient grounds for refusing planning permission for the development in terms of highway safety. From the information before me the Council did consider the proposal in the context of the area, visibility and taking into account material considerations, and whilst I disagree with their findings it does not automatically follow that unreasonable behaviour has been demonstrated.
6. As a result, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

C Pipe

INSPECTOR