



Costs Decision

Site visit made on 1 September 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15 September 2023

Costs application in relation to APP/C1570/W/23/3314576 Dunroamin, Old Mead Road, Henham, Essex CM22 6JQ

- 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 RHO Developments against the decision of Uttlesford District Council.
 - The appeal was against the refusal of planning permission for the demolition of existing bungalows and outbuildings and the erection of 2 no. replacement dwellings, detached garages, and associated works.
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Decision

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

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. The appellant submits that the Council has acted unreasonably by refusing to supply documents in a timely manner, either when approached directly for information and also when requested under the Freedom of Information Act. However, any such issues are matters to be dealt with either by the Information Commissioner's Office or else through the Council's own complaints procedure.
4. While I can understand that the gathering of information considered by the appellant necessary to pursue the appeal took some time, any delays would not have incurred any extra costs to the eventual submission and progression of the appeal.

Conclusion

5. For the above reason, I conclude that applicant has not been put to wasted time and expense in pursuing the appeal. Therefore, an award of costs is not justified.

S. Hartley

INSPECTOR