



Costs Decision

Site visit made on 12 September 2023

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2023

**Costs application in relation to Appeal Ref: APP/M2840/W/22/3307676
Field below Abbey Farm, Wellingborough Road, Wollaston, Wellingborough
Grid Ref Easting: 490587 Northing: 263869**

- 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 Clive Convine for a full award of costs against North Northamptonshire Council.
- The appeal was against the refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).

Decision

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

Reasons

2. Parties in planning appeals normally meet their own expenses. However, 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 contends that the Council failed to apply local highway policy correctly and failed to take into account the National Planning Policy Framework (the Framework), which sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Council has not responded to the costs application.
4. In my main decision, I found that the proposed access would increase the risk of conflict between vehicles due to the inadequate visibility splays and requirement for vehicles to wait in the carriageway to turn right into the site. Contrary to the appellant, I found that the proposal would not accord with the advice set out in the Council's guidance documents relating to highways. Moreover, I concluded that the proposal would be contrary to the Framework in terms of highway safety. Therefore, the Council substantiated its reasons for refusal and whilst it did not expressly refer to the Framework in its reasoning, its conclusions were not inconsistent with national policy.
5. For these reasons, I find that the Council's stance was not unreasonable. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

K Savage

INSPECTOR