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## Costs Decisions

Site visit made on 7 February 2024

**by Michael Boniface MSc MRTPI**

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

**Decision date: 22 February 2024**

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### **APPLICATION A**

**Costs application in relation to Appeal Ref: APP/X1925/W/23/3324095  
Land West of Tuthill House, Kelshall Tops, Therfield, Hertfordshire**

- 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 Lynne Bogie for a full award of costs against North Hertfordshire District Council.
  - The appeal was against the refusal of planning permission for three detached dwellings (1 x 4-bed, 1 x 5-bed and 1 x 6-bed) with associated infrastructure and landscaping.
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### **APPLICATION B**

**Costs application in relation to Appeal Ref: APP/X1925/W/23/3324095  
Land West of Tuthill House, Kelshall Tops, Therfield, Hertfordshire**

- 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 Lynne Bogie for a full award of costs against Quanta Homes 6 Ltd and Mr and Mrs G Bullard.
  - The appeal was against the refusal of planning permission for three detached dwellings (1 x 4-bed, 1 x 5-bed and 1 x 6-bed) with associated infrastructure and landscaping.
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### **Decisions**

1. Both applications for an award of costs are refused.

### **Reasons**

2. Parties in planning appeals and other planning proceedings 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. An application for costs will need to clearly demonstrate how any alleged unreasonable behaviour has resulted in unnecessary or wasted expense. In these cases, the applicant has not explained what expense has been incurred and so there is no basis for any award. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

*Michael Boniface*

INSPECTOR