



## Costs Decision

Site visit made on 14 May 2024

**by Nick Bowden BA(Hons) Dip TP MRTPI**

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

**Decision date: 18 July 2024**

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### **Costs application in relation to Appeal Ref: APP/J1535/W/23/3328493 Five Acre Lodge, Hoe Lane, Nazeing, Waltham Abbey, Essex EN9 2RW**

- 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 Loy Delapenha and Nadia Orgill for a full award of costs against Epping Forest District Council.
  - The appeal was against the refusal of the Council to grant planning permission for demolition of conservatory and garage/stable, creation of garden room and extension to form new annexe for ancillary use at Five Acre Lodge, Hoe Lane, Nazeing, Waltham Abbey, Essex EN9 2RW in accordance with the application Ref EPF/0459/23, without compliance with condition number 2 previously imposed on planning permission Ref EPF/0810/19 dated 22 July 2019.
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### **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 applicant seeks costs in relation to additional plans and building costs arising from delays. However, they have not identified what actions by the Council gave rise to delay. Therefore, I am unable to conclude that unreasonable behaviour has arisen, and that the applicant has incurred unnecessary or wasted expense.

*Nick Bowden*

INSPECTOR