



Costs Decision

Site visit made on 15 July 2024

by L Clark BA(HONS) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2024

**Costs application in relation to Appeal Ref: APP/P2935/W/24/3343131
Building and Land West of Roecliffe, Ladycutter Lane, Corbridge,
Northumberland NE45 5RZ**

- 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 Robert Kane for a full award of costs against Northumberland County Council.
 - The appeal was against the refusal of planning permission for outline application for demolition of the existing garage and stable block and construction of new dwellinghouse (all matters reserved).
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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 (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. I sympathise with the appellant with regard to the time taken for the Council to respond, and for the service they have received since withdrawing their original application. I also acknowledge that the design process may be subjective and that the request for a second opinion by the Planning Officer may have incurred a delay in the determination of the application. However, from the communications before me, the Council has been clear that it would support a dwelling, and that any design would need to be of a high-quality.
4. The submission by the appellant of its revised application prior to receiving the Council's response was their prerogative. I have no evidence before me to suggest that the appellant has incurred any additional cost by doing so.
5. The Council in its assessment had legitimate planning reasons to refuse the planning application citing that it failed to meet their aspirations for a high quality contextually responsive design.
6. Having had the application refused, the applicant exercised his right of appeal. Parties in planning appeals normally meet their own expenses. As the Council did not act unreasonably, it has not caused the applicant to incur unnecessary or wasted expense in the appeal process.

7. I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated. Therefore, an award of costs is not warranted.

L Clark

INSPECTOR