



Costs Decision

Site visit made on 29 April 2025

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

an Inspector appointed by the Secretary of State

Decision date: 16 May 2025

Costs application in relation to Appeal Ref: APP/M2840/D/25/3358931

Great Addington Manor, Cranford Road, Great Addington, North

Northamptonshire NN14 4BH

- 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 Stephen Chard for a full award of costs against North Northamptonshire Council.
 - The appeal was against the refusal of the Council to grant planning permission for Erection of New Garage within the grounds of Great Addington manor House.
-

Decision

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

Background

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. The applicant considers that the Council behaved unreasonably due, in summary, to the original proposal being considered acceptable by the applicant and, notwithstanding this, the Council's refusal of the application despite the provision of amended plans. Secondly, there was a reason for refusal relating to trees which was not justified as the relevant tree had previously been removed. Therefore, the submitted plans were not fully or properly assessed or the subject of specialist advice to inform the decision.

Reasons

4. The application was submitted to the Council on 9 June 2024 and validated by the Council on 12 June. Amended plans were provided to the Council on either 16 September¹ or 16 October². The application was refused permission on 24 October for two reasons.
5. The first of these reasons hinged upon the effect of the development on heritage assets. Specialist advice was provided by the Council's Conservation Officer, and these are dated 9 September and therefore pre-date either interpretation of when amended plans were received. In confirmation of this, the comments refer to dormer windows which were not included in the amended plans. The comments of the Conservation Officer indicate concern relating to the size and design of the

¹ According to the Council's decision notice

² According to the schedule of plans submitted with the application

proposed building, together with its proximity to the listed Manor House. There is no evidence before me to indicate that any supplementary comments were provided in relation to the revised plans.

6. Development of the appeal site would need to be considered with care due to its proximity to the Grade II listed Great Addington Manor and other heritage assets. Whilst an applicant for planning permission may consider the proposals to be acceptable, that is not to say that this is the opinion of the Local Planning Authority. This form of disagreement is neither uncommon, nor is it an indication of unreasonable behaviour. However, the applicant did show willingness to amend the scheme and did so with the proposals being revised to (inter alia) a single storey and alterations to the roof treatment. Even so, there is no requirement for the Council to accept amended plans³ during the course of an application.
7. Nevertheless, having accepted the plans, the Council could have taken time to review the revised plans and obtain specialist advice on these revisions. However, given the comments of the Conservation Officer on the original scheme, I am not persuaded that the revisions would have satisfied them. This is because the garage was not materially reduced in terms of its overall footprint or moved away from Great Addington Manor. Furthermore, whilst specialist advice may be desirable for a proposal affecting the setting of a listed building, such comments are not essential. Whilst I have found in favour of this proposal, this is not to say that the Council would have concluded any differently from the way it did, should it have received specialist advice. Indeed, there is no evidence to support this conclusion. As such, whilst I consider that the Council's approach to the application could have been improved, it did not amount to unreasonable behaviour.
8. Turning to the effect of the development on the tree protected by a Tree Preservation Order (TPO), the Council's reason for refusal only related to a lack of information in relation to the effect of the proposal on protected trees. In this regard, the application material that was submitted to the Council made no reference to the TPO tree adjacent to the site of the proposed garage, with the limited exception of a note to a 'stump' on the existing site plan. Furthermore, I have no evidence to indicate that the Council was ever informed of the prior removal of the TPO tree or the circumstances that led to its removal. This means that the Council had limited information to work with which could have been provided by the applicant.
9. Minimal additional work was required on behalf of the appellant in mounting the appeal as all that was required was to highlight that the tree had been previously removed. Had this been done during the application, this reason for refusal may not have been applied. Therefore, the Council's second reason for refusal was entirely reasonable as none of the written documentation provided to it made any reference to the TPO tree or provided advice on the circumstances of its removal.

Conclusion

10. Unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

N Bowden

INSPECTOR

³ PPG - Paragraph: 061 Reference ID: 14-061-20140306