



Costs Decision

Site visit made on 3 July 2025

by A Oyebade MSc FCILT

an Inspector appointed by the Secretary of State

Decision date: 03 September 2025

Costs application in relation to Appeal Ref: APP/M2840/W/25/3365774

Land Rear of 36 To 44 Marshalls Road, Raunds NN9 6ET

- 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 Tophaven Homes Ltd for a full award of costs against North Northamptonshire Council.
 - The appeal was against the failure of the Council to issue a notice of their decision within the prescribed period on an application for planning permission for development.
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Decision

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

Reasons

2. In summary, the Council took 18 months to determine the application through undue delays. The Council says it was in constant dialogue with the applicant throughout this time, including discussions on the provision of a footpath.
3. 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.
4. For an application of this size, an 18-month period, even considering negotiations and conversations that invariably took place between the parties, is considerably long. I therefore have some sympathies with the appellant in this regard that the Council ought to have made better progress with this case.
5. However, I do not find the Council to be entirely at fault here. Little evidence is before me to definitively suggest that the Council was solely responsible for the hold-up. While the appellant was engaging with the Council during that time, there is insufficient evidence indicating that there was any haste on the appellant's side over the delays, save for the period before the appeal was made.
6. Accordingly, while the time was overly lengthy in my view, I am satisfied that the Council was undertaking negotiations with the appellant, and this was the main reason for the setback. I do not find this to be unreasonable. As I have found no unreasonable behaviour on the Council's part, the argument on whether wasted expenditure was incurred by the appellant falls away.

Conclusion

7. For the reasons given above, unreasonable behaviour has not been demonstrated. No award of costs is made.

A Oyeade

INSPECTOR