



Costs Decision

Site visit made on 11 August 2025

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2025

Costs application in relation to Appeal Ref: APP/W2845/W/25/3364343 Street Record Mill Road, Whitfield, West Northamptonshire NN13 5TE

- 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 Michael Adamberry for a full award of costs against West Northamptonshire Council.
 - The appeal was against the refusal of planning permission for erection of one detached self-build dwelling with associated landscaping and access from Mill Road.
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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. The PPG states that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. Examples include preventing development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis; failure to provide evidence to substantiate the reason for refusal; acting contrary to well-established case law and precedent; and not determining similar cases in a consistent manner.
4. It is the applicant's view that the Council has acted unreasonably by preventing the proposal based on the Self and Custom Build Annual Monitoring Report 2024 (SCBR 2024). In this regard, my attention has been brought to the appeals referred to as Cogenhoe and Blisworth. However, as identified by both the applicant and the Council, the SCBR 2024 has been subject to amendments and updates following the outcome of the two appeal decisions. This shows that the Council has taken reasonable steps in attempting to address the identified shortcomings in monitoring and accuracy of the SCBR 2024.
5. While it may be that the Council has approved other schemes for self and custom build dwellings, I do not have the full details before me to conclude that similar cases have not been considered in a consistent manner in line with current recording guidance. In any case, the appeal scheme would still be required to

demonstrate it would be for a self and custom build dwelling to benefit from planning permission for such a scheme.

6. For the reasons set out above, I conclude that it has not been demonstrated that unreasonable behaviour has resulted in an appeal which would not have otherwise been necessary, or in unnecessary or wasted expense, as described in the PPG. Given this, and having regard to all other matters raised, an award of costs is therefore not justified.

A Hickey

INSPECTOR