



Costs Decision

Site visit made on 8 September 2025

by **A Hickey MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Costs application in relation to Appeal Ref: APP/W2845/W/25/3366269

Land adjacent to 28 High Street, Astcote, Towcester NN12 8NW

- 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 Curtis Downs for a full award of costs against West Northamptonshire Council.
 - The appeal was against the refusal of planning permission for proposed self-build dwelling.
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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 refusing the appeal scheme that was the only entry on the register for Astcote, alongside failing to take into account the Inspector's findings in the Piddington appeal¹.
5. I am aware that the SCBR 2024 has been subject to amendments and updates following the outcome of previous appeal decisions, and the Council continues to monitor its approach to ensure self and custom build figures are correctly recorded. This indicates that the Council has taken reasonable steps to address the identified shortcomings in monitoring and accuracy of the SCBR 2024, which includes the Inspector's findings in the Piddington appeal. No detailed evidence has been provided to demonstrate that current planning practice guidance or other legislation for recording or publishing the Council's self- and custom-build data has not been properly adhered to.

¹ Ref: APP/W2845/W/24/3353512

6. In any case, the appeal scheme would still be required to demonstrate it would meet all the requirements for a self and custom build dwelling to benefit from planning permission for such a scheme.
7. 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