

Costs Decision

Site visit made on 16 January 2026

by D A Hainsworth LL.B(Hons) FRSA Solicitor
an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

**Costs application relating to Appeal Ref: APP/W2845/W/23/3330226
Land and buildings at Boughton Springs, Moulton Lane, Boughton,
Northampton NN2 8RE**

- The application is made by Mr & Mrs Harrison under the Town and Country Planning Act 1990, sections 78 and 322 and Schedule 6, and the Local Government Act 1972, section 250(5), for a full award of costs against West Northamptonshire Council .
 - The appeal was made against the failure by West Northamptonshire Council to give notice within the prescribed period of their decision on an application for a determination as to whether the prior approval of the authority will be required for "Conversion of two barns to C3 residential units under Class Q", pursuant to Schedule 2, Part 1, Class Q (agricultural buildings to dwellinghouses) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended at the time.
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Decision

1. The application is refused.

Reasons for the decision

2. The Government's planning practice guidance ("the Guidance") indicates that the parties to an appeal are expected to behave reasonably to support an efficient and timely process and that where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, the party may be subject to an award of costs.
 3. The applicants maintain that the Council has (a) prevented and delayed development which should clearly be permitted, making vague, generalised and confused assertions about the proposal's impact which are unsupported by any objective analysis, and (b) "Made misguided assertions about the nomenclature of the site as having informed its use, something which is unsupported by a site visit."
 4. The Council reject these claims and draw attention to extensive email exchanges between them and the applicants' agents, in which the Council drew attention to the inappropriateness of the application being made under Class Q and sought further information, and the question of the "nomenclature" was resolved.
 5. It was the applicants' responsibility to supply sufficient factual information and evidence to enable the Council to make a decision and my inspection of the site showed that the Council were correct in questioning whether the application
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could be dealt with under Class Q. I concluded that the development could not lawfully be begun in spite of the grant of prior approval by default.

6. It would clearly have been preferable for the Council to have made a decision on the application within the time allowed and it would have been helpful if the Council had produced evidence of their officers having made a more thorough site inspection. These shortcomings however did not amount to unreasonable behaviour in the circumstances arising in this appeal that I described in my appeal decision.
7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated and that an award of costs is not justified.

D.A.Hainsworth

INSPECTOR