



Costs Decision

Site visit made on 12 December 2025

by S Bennett-Matthews Solicitor (Non-Practising)

an Inspector appointed by the Secretary of State

Decision date: 02 April 2026

Costs application in relation to Appeal Ref: APP/M2840/W/25/3372910

10 Lancaster Drive, Thrapston, Northamptonshire, NN14 4XD

- 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 Tim Miller 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 a detached garage.
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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 applicant seeks a full award of costs against the Council on the basis that the Local Planning Authority failed to determine the planning application within the statutory time limit, that a similar proposal was accepted in 2004, and that the Council failed to respond substantively to matters raised during the assessment period.
4. The applicant contends that the appeal site forms part of the domestic curtilage of No.10 Lancaster Drive, and therefore the planning application was validly made. The applicant further argues that the Council acted unreasonably in failing to determine the application within the statutory period and that the substantive planning grounds indicate that it should have been approved. According to the applicant, the Council initially validated the planning application within the prescribed statutory period. However, the Council subsequently requested amendments to the red line boundary and submitted plans, following which the statutory period had expired, and the application was declared invalid.
5. The Council maintains that that the land on which the proposed development is to be erected forms part of amenity land and incorporates a shared drive.
6. As noted in my Decision, the Council indicated that, if it had determined the application, it would have been refused. The three putative reasons submitted by the

Council for refusal were character and appearance, the living conditions of neighbouring occupiers and highway safety. It is therefore clear that if a decision had been issued by the Council, the planning application would have been refused.

7. Procedural issues raised including delays, the land use and the request to amend the red line boundary and application plans, appears not to suggest best practice by the Council, but do not relate directly to the proposal's planning merits.
8. I conclude that it is reasonable to assume that had the Council refused the application, the applicant would have appealed the decision and would have thus incurred costs associated with the appeal. The appeal was not an unnecessary expense, because I ultimately dismissed the proposal based on the same reasons as suggested by the Council. I have no evidence before me to indicate that the Council's behaviour led to unnecessary and wasted expense in the appeal process.
9. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

S Bennett-Matthews

INSPECTOR