
Costs Decision

Site visit made on 17 March 2026

by **A Fuller BSc (Hons), Dip TP, MA, RTPI, IHBC**

an Inspector appointed by the Secretary of State

Decision date: 14 April 2026

Costs application in relation to Appeal Ref: APP/W2845/W/25/3375912 74 Balmoral Road, Northampton, Northamptonshire NN2 6JZ

- 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 Alex Oblikovs for a full award of costs against West 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 the 'change of use from dwellinghouse to HMO for 5 persons to include construction of a single storey flat roof rear extension forming one en-suite bedroom, and the installation of a new access door to the side elevation to suit the new layout'.
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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 Council failed to give notice of its decision on the application within the prescribed period and moreover it did not explain the delay or seek an extension of time. It did however supply a Statement of Case for the appeal, setting out putative reasons for refusal had it issued a decision.
4. The aim of the costs regime is to encourage all those involved in the appeal process to behave in a reasonable way and follow good practice, both in terms of timeliness and in the presentation of full and detailed evidence to support their case. Amongst other things, it seeks to encourage Local Planning Authorities to properly exercise their development management responsibilities. The PPG explains that authorities are at risk from an award of costs where they fail to review their case promptly following the lodging of an appeal against non-determination, as part of sensible ongoing case management.
5. Although the delay in the determination of the application is far from ideal, and was clearly frustrating for the appellant, the Council has provided a full Statement of Case to demonstrate that it reviewed the proposal fully. In that statement it addressed all matters pertinent to the proposal, including issues raised by third parties. It concluded with a reason for refusal pertaining to the effects on outlook and light to neighbouring occupiers. In doing so the Council demonstrated it had full regard to the development plan and provided clear reasoning in its recommended reasons for refusal. Moreover, there is no substantive evidence before me to

demonstrate that the Council would have come to any alternative conclusion if it had made the decision on time, and subsequently avoided the need for the appeal.

Conclusion

6. For the above reasons, I conclude that unreasonable behaviour resulting in unnecessary or wasted expenses in the appeal process, as described in the PPG, has not been demonstrated. Therefore, the application for an award of costs is refused.

A Fuller

INSPECTOR