



Penderfyniad ar Gostau

Ymweliad â safle a wnaed ar 1 Medi 2022

gan **Nia Jones, BA (Hons) MSc MRTPI**

**Arolygydd a benodir gan Weinidogion
Cymru**

Dyddiad: 03.10.2022

Costs Decision

Site visit made on 1 September 2022

by **Nia Jones, BA (Hons) MSc MRTPI**

**an Inspector appointed by the Welsh
Ministers**

Date: 03.10.2022

Costs application in relation to Appeal Ref: CAS-01767-Y6Z6H6

**Site address: Land adjoining Ryefield, Bennetts Lane, Hawarden, Deeside,
Flintshire, CH5 3HG**

The Welsh Ministers have transferred the authority to decide this application to me as the appointed Inspector.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
 - The application is made by Mr Richard Ford for a full award of costs against Flintshire County Council.
 - The appeal was against the refusal of planning permission for outline planning approval for five detached houses.
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Decision

1. The application for an award of costs is refused.

Reasons

2. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process. The Annex also advises that applications for costs must clearly demonstrate how any unreasonable behaviour has resulted in unnecessary and wasted expense.
3. The costs application sets out the applicant's costs to cover the appointed agent's expenditure in preparing the appeal and dealing with its administration. However, it does not clearly explain the nature of any unreasonable behaviour considered to have occurred or how this has led to unnecessary or wasted expense. From what I have read, the reasons for refusing planning permission are clearly explained by the Council and its decision was made in accordance with the development plan. Parties are expected to meet their own costs when participating in proceedings and in the absence of any evidence of unreasonable behaviour, there are no grounds for an award of costs in this case.

Conclusion

4. The costs application is refused.

Nia Jones

Inspector