



Costs Decision

Site visit made on 8 January 2026

by **Jennifer Wallace BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2026

Costs application in relation to Appeal Ref: APP/X1925/W/25/3373954

Ickleford Primary School, Arlesey Road, Ickleford, Hertfordshire SG5 3TG

- 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 Richard Murrell for a full award of costs against North Herts Council.
- The appeal was against the refusal of planning permission for installation of new bike shelter with hard standing in front of the playground gate, and installation of pillar lights to the side of entrance footpath.

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 an award of costs on substantive grounds that that the Council failed to provide consistent advice, that there was no meaningful opportunity to amend the scheme prior to refusal and that the reasoning in the decision notice was generic and failed to demonstrate how the scheme caused demonstrable harm in context.
4. The Council refute these claims, responding that the appellant declined to make amendments as suggested by the Council and that their officer report set out why they considered the proposal to be unacceptable.
5. It is not clear from the evidence before me if formal pre-application advice was sought from the Council. However, even if it were, such advice is not binding. While the summary of the comments of the Conservation Officer are somewhat ambiguous in that they state the bike shed is 'in my view not offensive', they do clearly conclude that an amended location should be sought. Details of the correspondence between the case officer and the applicant show an ongoing discussion where concerns about the proposal were clearly expressed. The evidence before me therefore does not demonstrate that the Council failed to provide consistent advice.
6. The correspondence before me does also demonstrate that opportunity was given for the proposal to be amended. While the appellant may have cogent reasons for not amending the location, several suggestions were made as to alternatives. While it was unfortunate that the case officer did not respond to the applicant's later

correspondence, the previous correspondence is clear that the applicant did not wish to amend the proposal. The applicant refers to the potential for planting to screen the proposal as leading them to consider that the application was likely to be approved. However, their own timeline shows that this was conditional on the orientation of the bike shed being amended, which was declined as an option. I am therefore satisfied that the applicant was given meaningful opportunity to amend the proposal prior to the decision being issued.

7. The Council's reason for refusal is brief and refers to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) when it should refer to section 66(1). However, when taken in conjunction with the officer report, the Council's concerns with the bike shed are clearly set out. Again, while brief, the report also sets out what the Council considered the public benefits of the proposal to be. This demonstrates an adequate exercise of planning judgement and regard for the statutory duties imposed by the Act and the requirements of the National Planning Policy Framework. I therefore consider that the Council has not behaved unreasonably in this regard irrespective of the fact that I did not agree with their conclusion with respect to the proposed development.

Conclusion

8. For the reasons set out above, I conclude that the Council did not behave unreasonably, therefore no wasted or unnecessary expense has been incurred by the applicant in the appeal process. The application for an award of costs should be refused.

Jennifer Wallace

INSPECTOR