



Costs Decision

Site visit made on 28 July 2020 by Scott Britnell MSc FdA MRTPI

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Costs application in relation to Appeal Ref: APP/Q3115/D/20/3251102 Oakridge Farm, Wood Lane, Kidmore End, Reading RG4 9BL

- 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 Alistair Hartrup for a full award of costs against South Oxfordshire District Council.
 - The appeal was against the refusal of planning permission for a single storey extension to existing garage/outbuilding.
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Decision

1. The application for costs is refused.

Application Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the application.

Reasons for the Recommendation

3. The Planning Practice Guidance 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.
4. The applicant indicates that there is extensive planning history and that in previous discussions with the Council they advised that to avoid a CIL contribution the garage/outbuilding should be provided in two stages and that they would support both. The applicant suggests that the refusal of the application, in view of that advice, was unreasonable as was the refusal to engage further, and that this has led to wasted expense being incurred.
5. I have been provided with copies of e-mail correspondence between the parties. In considering the e-mail thread, there is no evidence before me to indicate that the Council's Officer agreed to support the appeal proposal prior to it being submitted. Further, I have no evidence before me to demonstrate that the Council had refused to co-operate or accept amended plans in the application process leading to this appeal.
6. In light of the above, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

Conclusion and Recommendation

7. For the reasons given above, I recommend that the application for costs should be refused.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

8. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the application for costs is refused.

Andrew Owen

INSPECTOR