
Costs Decision

Site visit made on 12 January 2021

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2021

Costs application in relation to Appeal Ref: APP/E0345/W/20/3258434 8 Riley Road, Tilehurst, Reading RG30 4UX

- 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 Dan Stannard for a full award of costs against Reading Borough Council.
 - The appeal was against the refusal of planning permission for demolition of existing dwellings and erection of 4 detached dwellings including access, parking, landscaping and associated works.
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Decision

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

Reasons

2. Planning Practice Guidance advises that parties in planning appeals normally meet their own expenses. Costs may only be awarded against a party who has behaved unreasonably, and where the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. The appellant considers that the Council has acted unreasonably in refusing planning permission necessitating the appeal. The reasons for refusal are considered to be wholly subjective and without foundation, rely on assertion rather than evidence, are unclear and unjustified.
4. The Council's position is that in making its decision it had due regard to adopted local and national planning policies, weighed up the relevant factors in the case and came to a reasoned judgement. The reasons for refusal have been fully substantiated in the context of the development plan and relevant material considerations.
5. As is apparent from my decision on the appeal, I consider the Council did have sound reason for refusing the application. While I have found no harm arising from some of the reasons for refusal, these were matters of judgement on which it is possible to hold differing views. The reasons for refusal are comprehensive, if somewhat lengthy, and set out in detail the matters in dispute. The Council also provided a comprehensive appeal statement that provided evidence to substantiate each reason for refusal.
6. Based on the evidence before me I find that the Council has not acted unreasonably and did provide clear and justified reasons as to why it reached its decision on the planning application.

Conclusion

7. I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

Guy Davies

INSPECTOR