



Costs Decision

Site visit made on 23 January 2024

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 February 2024

Costs application in relation to Appeal Ref: APP/Q3115/W/23/3320910 Dean Wood House, South Stoke Road, Woodcote, Oxfordshire RG8 0PL

- 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 South Oxfordshire District Council for a full award of costs against Dr N Simpson and Mr K Simpson.
 - The appeal was against the refusal of planning permission for erection of a new dwelling and detached garage with new access.
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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 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. This application claims the appellants have acted unreasonably by pursuing an appeal that has no reasonable prospect of being allowed as the proposal is clearly not in accordance with the development plan.
3. My appeal decision explains why the scheme would accord with development plan policies. It follows from this decision that I do not agree the appeal had no chance of being allowed. The appellants have not acted unreasonably as claimed by the Council and so it has incurred no unnecessary or wasted expense in the appeal process. Therefore, I conclude an award of costs is not justified.

Jonathan Edwards

INSPECTOR