



Costs Decision

Site visit made on 22 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Costs application in relation to Appeal Ref: APP/T0355/W/23/3327911 Hunters Moon Jubilee Road, Littlewick Green, Maidenhead SL6 3QU

- 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 and Mrs Michael and Jane Vogel and Durgan for a full award of costs against Royal Borough of Windsor and Maidenhead.
- The appeal was against the refusal of planning permission for a replacement dwelling.

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. In this instance the applicant has set out that the Council acted unreasonably in its assessment of the application. However, while I have disagreed with the Council in relation to Green Belt and climate change, I share their concerns with regards to the potential impact of the development on trees and the associated impact on the character and appearance of the Conservation Area. In my view, the refusal of the application was therefore justified.
4. As such, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR