



Costs Decision

Site visit made on 14 January 2025

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2025

Costs application in relation to Appeal Ref: APP/K0425/D/24/3350131

Ashridge House, Chinnor Road, Bledlow Ridge, HIGH WYCOMBE,

Buckinghamshire, HP14 4AW

- 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 Ms Karen Bradshaw for a full award of costs against Buckinghamshire Council - West Area (Wycombe).
 - The appeal was against the refusal of an application for the demolition of a single storey utility room and addition of two dormer windows together with internal alterations and changes to windows/doors.
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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 (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 appellant refers to the Council's use of incorrect and unreliable information from a third party website concerning the presence of a utility room and its effect on the calculation of volume of additional building work to assess whether a 'disproportionate' addition to a property in the Green Belt. This caused the appellant having to use a professional architect to lodge the appeal and this is claimed to be an unnecessary and wasted expense.
4. The Council says that although the demolition of the utility room was put forward in the description of the current proposal such demolition had not been mentioned in previous applications to extend the property and therefore it was reasonable for the Council to explore other evidence related to the planning history.
5. From the evidence submitted on the appeal, the appellant's architect accepted that the utility room structure had been demolished in 2016 and therefore I found that it had little bearing in the assessment of the current appeal scheme notwithstanding that it had been included in the description of the proposal. Moreover, it was not material to the assessment bearing in mind that the volume of previous additions greatly exceeded the level set out in part (e) of Policy SDM43. I considered the proposal further under part (c) of the same policy.
6. I am satisfied that the Council's actions were not unreasonable in understanding and considering the proposal given the complex and detailed planning history of the site and did not amount to unreasonable behaviour. The costs incurred by the

appellant in using a professional agent in submitting the application and the appeal were therefore the normal costs arising when the right of appeal is exercised.

7. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

David Murray

INSPECTOR