



Costs Decision

Site visit made on 7 January 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2025

Costs application in relation to Appeal Ref: APP/X0360/W/24/3345713

Land East of Barkham Manor, Barkham Road, Wokingham, RG41 4TH

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 Mark Douglas for a partial award of costs against Wokingham Borough Council.
 - The appeal was against the refusal of planning permission for erection of 3no. detached dwellings.
-

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 Inspector in the previous appeal decision at the site found the location to be appropriate with regard to access to services, facilities and sustainable transport options. The Council recognised the comments of the previous Inspector, however they subsequently refused the scheme before me for that same reason. PPG advises that local planning authorities are at risk of an award of costs if they persist in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.
4. I have also found the scheme to be an appropriate location with regard to accessibility. Notwithstanding this, I did find some conflict with Policy CP2 of the Core Strategy with how accessibility would differ between types of users. This policy and matter are not referred to in the previous appeal decision. Therefore, while the main issue was previously addressed, from the evidence before me, the extent and nature of the case put forward by the Council is materially different.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Stuart Willis

INSPECTOR