
Costs Decision

Site visit made on 18 November 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Costs application in relation to Appeal Ref: APP/J0405/W/25/3363464 Stratstone, Buckingham Road, Aylesbury, Buckingham HP19 9QH

- 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 Lidl Great Britain Limited for a full award of costs against Buckinghamshire Council.
 - The appeal was against the refusal of planning permission for demolition of existing buildings and erection of Class E discount foodstore with associated car parking, landscaping, engineering and drainage works without complying with a condition attached to planning permission Ref 24/01356/VRC dated 7 August 2024.
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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 applicant contends that the Council has introduced new evidence on highway safety that represents a significant change in their case, which had not previously been raised as a justification for attaching the condition subject to the appeal.
4. The reason given for the condition on the Decision Notice refers to minimising dangers, obstruction and inconvenience to users of the highway as well as Policies T4 and T5 of the Vale of Aylesbury Local Plan (2013-2033) (VALP). As established in my appeal decision, VALP Policies S1 and T7, relating to sustainable development and maximising sustainable transport use, were also considered when the requirements of the off-site highway improvement plan were sought.
5. The Council's submissions, including consultation responses from its highway advisor, highlight the need for safe, suitable and convenient access to be provided to encourage the use of sustainable forms of transport. Reference to, and inclusion of relevant data on, highway safety is clearly linked to the Council's case surrounding the adequacy of the existing cycle access along Weedon Road. Moreover, the Council has articulated its argument regarding the requirement of the condition to promote sustainable transport by making journeys to and from the food store more accessible and attractive.

Conclusion

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

P Barton

INSPECTOR