



Costs Decision

by Gareth Symons BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Costs application in relation to Appeal Ref: APP/N0410/C/24/3352837

The George Inn, 12 Post Office Lane, George Green, Buckinghamshire SL3 6AX

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Buckinghamshire Council against Mr Sadar Hussain (Langdon Realty Limited) for a full award of costs.
 - The appeal was against an enforcement notice alleging the material change of use of the land to use for the sale and storage of motor vehicles and the creation of a hard surface to facilitate the change of use.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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's evidence in the appeal was directed substantially at responding to the reasons why the enforcement notice was issued and therefore covered matters such as planning merit which, for the reasons given in my appeal decision, were not before me. Other than concluding that the steps required by the notice to be taken exceeded what was necessary to remedy any breach, the appellant's statement did not give any reasons to back up that assertion. Accordingly, the appellant failed to substantiate with relevant evidence why their appeal should be allowed. As a result, the appeal had no reasonable prospect of succeeding which amounts to unreasonable behaviour. Consequently, the costs incurred by the Council at appeal were unnecessary and wasted expense.
4. Unreasonable behaviour resulting in unnecessary or wasted expense has occurred and a full award of costs is therefore warranted.

Costs Order

5. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Mr Sadar Hussain (Langdon Realty Limited) shall pay to Buckinghamshire Council, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.

The applicant is now invited to submit to Mr Sadar Hussain (Langdon Realty Limited), to whose agent a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Gareth Symons

INSPECTOR