



Costs Decision

Site visit made on 18 December 2025

by S F Murphy BSc (Hons) MSc MRTPI MISEP CEnv.

an Inspector appointed by the Secretary of State

Decision date: 11 February 2026

Costs application in relation to Appeal Ref: APP/Y0435/W/25/3372301

Land rear of 7 - 11 Station Road, Bow Brickhill, Milton Keynes MK17 9JU

- 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 Milton Keynes City Council for a full award of costs against Mr and Mrs Bowdler.
 - The appeal was against the refusal of planning permission for part demolition of No.11, new access and siting of two new self-build dwellings.
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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 PPG explains unreasonable behaviour may be either procedural or substantive relating to the issues arising from the merits of the appeal. The PPG goes on to clarify what counts as unnecessary or wasted expense including time spent in preparing for an appeal or the use of consultants to provide technical advice. However, an award of costs cannot extend to compensation for indirect losses, such as those which may result from alleged delay in obtaining planning permission.
4. Milton Keynes City Council (the applicant) contends that the respondent has acted unreasonably in procedural terms by submitting into the appeal a new ecological assessment and great crested newt district level license (DLL) details as evidence that was not before them at the planning application stage. By submitting an appeal rather than a revised application, the applicant asserts that this has resulted in unnecessary wasted expense.
5. The second reason for refusal in the appeal related to insufficient ecological information. The reason for refusal states the ecological assessment at that time, lacked the information necessary for evaluating potential impacts on protected species, that the qualifications were unclear and did not adequately address Priority Habitats or bats on the site, and consequently the proposed mitigation measures would be speculative. During the planning application process, the applicant requested further details from the respondent including the qualifications of the ecologist undertaking the work. This correspondence has been provided in evidence.

6. I note the respondent sought to address the concerns raised by the applicant during the application process, however this matter remained unresolved at the time a decision was made. I note prior to the appeal submission, the respondent sought to engage with the applicant requesting the applicant to review a new ecological assessment. The applicant responded to this request stating that in accordance with their Amendments to Applications Charter dated 2024, such new information should be the subject of a new planning application and not through the appeals process. As such, no comments were made.
7. The applicant contends expense has been incurred during this appeal from reviewing the new ecological assessment submitted with the appeal alongside documentation associated with the DLL. I note the applicant, having reviewed the ecological assessment and DLL documentation, raises no concerns with their content and makes recommendations.
8. Whilst I acknowledge that the applicant has needed to review the new ecological assessment and DLL documentation, some form of evaluation would have needed to occur nonetheless. This would have been to review information submitted by the respondent seeking to address the second reason for refusal, whether or not the respondent provided any additional assessment or not. This does not demonstrate that any unnecessary or wasted expense has occurred in this instance.

Conclusion

9. Consequently, I find no procedural nor substantive grounds for an award of costs. I therefore find that unreasonable behaviour, as claimed, resulting in unnecessary or wasted expense as described in the PPG, has not been demonstrated.
10. For the reasons given above, I conclude that a full award of costs is not justified.

S F Murphy

INSPECTOR