Planning Inspectorate

Costs Decision

Site visit made on 7 January 2026

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Costs application in relation to Appeal Ref: APP/L5810/W/24/3358044
River Thames Visitor Centre, Riverside, Richmond TW10 6UJ

- The application is made under the Town and Country Planning Act 1990 as amended, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Running Red Ltd for a full award of costs against of the Council of the London Borough of Richmond-upon-Thames.
  The appeal was against the refusal of planning permission for retention of mooring for River Thames Visitor Centre without complying with a condition attached to planning permission Ref 05/3452/FUL, dated 17 January 2006.

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, irrespective of the outcome of the appeal, 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 application centres on the applicant's claim that the Council prevented development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.

4. PPG indicates that local planning authorities will be at risk of an award being made against them if they prevent development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.

5. The applicant suggests that the Council assessed the proposal in this appeal case with a biased, predetermined mindset, not through professional planning analysis and judgement on the merits of the case. However, I see evidence of analysis by the Council of a range of planning considerations, including reference to development plan policies, national policy and other material considerations in their Pre-Application letter and Planning Officer's Delegated Report. Planning analysis by the Council is also contained in their Appeal Statement. These documents together demonstrate exercise of planning judgement by the Council about the proposal, including reference to the development plan, national policy and other material considerations.

6. Therefore, the Council did not prevent development which should clearly be permitted, and there is not conclusive evidence that unreasonable behaviour by the Council occurred in this case.

Conclusion

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

William Cooper

INSPECTOR