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 the Council of the London Borough of Richmond-upon-Thames for a full award of costs against Running Red Ltd.
  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 Council's claim that the appellant a) submitted some irrelevant material, and b) provided no substantive case at appeal, and so pursued an appeal with no reasonable chance of succeeding.

4. PPG indicates that appellants will be at risk of an award being made against them if they provide substantial additional material late on which necessitates extra, and if the appeal had no reasonable chance of succeeding.

5. Regarding matter a), the appellant's appeal submission includes some commentary and information that goes beyond focus on the reasons for refusal and the planning matters central to this appeal. This includes, for example some of the appellant's agent's commentary on the extensive planning history of the site prior to this appeal, some of their analysis of planning policies and supporting text, and various assertions about the calibre and motives of the Council. As such, some material submitted by the appellant in this appeal case is not manifestly relevant to the core planning matters in this appeal.

6. It will be clear from my appeal decision that I have reached a different conclusion from the appellant on the merits of this appeal case. That said, regarding matter b), I see some analysis of planning matters relevant to this appeal in the appellant's appeal statement of case of. Thus, the appellant did not provide no substantive

case at appeal, and did not pursue an appeal that clearly had no reasonable chance of succeeding.

7. As a result of my above findings, there is not conclusive evidence that unreasonable behaviour by the appellant occurred in relation to matter b). However, the appellant acted unreasonably in respect of matter a).

8. That said, the Council's costs claim indicates that given the extensive planning history of the appeal site, they had considerable familiarity with its location and fundamental planning issues concerning it. I expect this prior familiarity to have moderated the impact on Council staff time and resources of the inclusion in the appellant's submission of some material that was not manifestly relevant to this appeal. On the claim and evidence before me, it is not clear that a readily distinguishable impact on Council time and resources resulted from this inclusion.

Conclusion

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

William Cooper

INSPECTOR