



Costs Decision

Site visit made on 23 January 2026

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Costs application in relation to Appeal Ref: APP/K0425/W/25/3375513
Rockwell End House Farm Rockwell End Lane Henley on Thames RG9 6NF

- 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 Mr and Mrs A Reid for a full award of costs against Buckinghamshire Council.
- The appeal was against the refusal of the Council to grant planning permission for Change of use of existing agricultural livestock barn to a mixed use of agriculture and private use only equestrian (retrospective).

Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance 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 for costs points to the behaviour of the Council in failing to take a proactive approach and request further information in relation to the 'genuine need' for the mixed use. An inconsistency in decision-taking in relation to other decisions for private equestrian use is also suggested. In this case the Council's request to seek retrospective permission appeared to follow some specific circumstances, namely the addition of a second, private equestrian, use to a degree beyond *de minimis*, of a large agricultural building recently erected as permitted development. These circumstances are not directly comparable to the examples given.
4. Otherwise, it is apparent that this complaint does not extend beyond divergence as to weight, or lack of such, to be applied to differing considerations which development plan policies identify. It is frequently the case that policies, whether at national or local level, pull in differing directions and the determination of planning applications requires the exercise of professional judgement as to which considerations hold sway in the circumstances of each case. That, in this matter, I have reached a different conclusion to that of the Council does not indicate unreasonable behaviour, nor does the failure to request additional information, it not being clear that such further information would have resulted in a different decision by the Council.

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

Andrew Boughton

INSPECTOR