



Costs Decision

Site visit made on 24 July 2025 by S Indermaur BA (Hons) MSc MRTPI

By John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2026

Costs application in relation to Appeal Ref: APP/K0425/W/25/3364983

Valley View Barn, Winchbottom Lane, Little Marlow, Buckinghamshire HP10 9QF

- 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 G Bryant for a full award of costs against Buckinghamshire Council.
 - The appeal was against the refusal of planning permission for the conversion and subdivision of existing residential property together with alterations and extension and demolition of existing buildings, to form additional dwelling.
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Decision

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

Procedure

2. A representative of the Inspector has set out the recommendation below, to which the Inspector has had regard before deciding the application.

Reasons

3. Parties in planning appeals normally meet their own expenses. However, 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.
4. It is alleged that the Council acted unreasonably in reaching the decision on the planning application. It is suggested that, as the proposal would not constitute inappropriate development in the Green Belt and the Wycombe District Local Plan 2019 (LP) and the National Planning Policy Framework (Framework) outlines the possibility of converting existing rural buildings into residential use, development permitted in these locations would also be reliant on a private car, as well as the occupiers of the existing barn and as such the proposal would be located in a suitable location.
5. I have found in the accompanying decision that, while the proposal would meet aspects of the LP and the Framework, the proposal would not comply with the LP when read as a whole. The proposal has elements that would carry moderate weight, but the development plan has primacy in any balance. I also found that any benefits would not be sufficient against the harm. It is equally clear from the Council's evidence that they had regard to a suite of policies from the adopted development plan that were relevant to the appeal scheme and they have explained how and why it would conflict with them. How a scheme is found in accordance or against them is a matter of a difference of opinion and, arguably in some cases, par for the course in an appeal situation.

6. The applicant is also concerned that the Council referred to the delegated report and did not respond directly to their statement of case. A Council is under no statutory duty to produce an appeal statement and ideally should not repeat or duplicate any previous arguments. It is not uncommon for Councils to provide a delegated report that was produced at the time of a planning application if they determine it sets out their arguments in sufficient detail.

Conclusion

7. With the above in mind, I find that The Council has not acted unreasonably. It was the applicant's decision to appeal and thus whatever expenditure that entails. This has thereby not caused the applicant to incur unnecessary or wasted expense in the appeal process. A claim for costs is not therefore justified and accordingly it is hereby recommended that it should be refused.

S Indermaur

APPEAL PLANNING OFFICER

Inspector's Decision

8. I have considered all the submitted evidence and my representatives report and on that basis the application for an award of costs is refused.

John Morrison

INSPECTOR