
Costs Decision

Site visit made on 11 February 2026

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

Costs application in relation to Appeal Ref: APP/Y0435/W/25/3376393

Lodge Farm, Lower End Road, Wavendon, Milton Keynes MK17 8AJ

- 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 Council for a full award of costs against Carl Porter and Charlotte Walters.
 - The appeal was against the refusal of planning permission for demolition of existing buildings and replacement with 2 self build dwellings with parking and landscaping.
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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 Councils claim for costs relies on that the appellant submitted revised drawings during the appeal process.
4. The appellant submitted drawings with the appeal which included a pedestrian link which passed through the adjacent property. These drawings were submitted to the Council during their consideration of the application to demonstrate an indicative layout for a pedestrian link, however, the Council chose not to accept them.
5. The Procedural Guide: Planning appeals – England is clear that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially the same scheme that was considered by the Council and interested parties at the application stage. I have therefore chosen not to accept the amended plans.
6. Notwithstanding the above, the Council had seen site of the plans and from the evidence before me they had the opportunity to consider the changes and consult albeit they chose not to. Furthermore, the appellant repeatedly refers to the plans as indicative in an attempt to demonstrate that a link could be achieved in some form which they consider could be secured by condition. This is a planning judgment and the appellant has therefore not behaved unreasonably in this regard.

7. The Council have addressed the amended plans during the appeal process, however, there is limited evidence to demonstrate any additional wasted expense beyond repeating their original concerns over the changes during the application process.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

D Wilson

INSPECTOR