Planning Inspectorate

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: 30 March 2026

Costs application in relation to Appeal Ref: APP/Y0435/W/25/3375042
Moat Cottage, Newport Pagnell, Milton Keynes MK16 0JJ

- 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 against BHK Moat Ltd.
- The appeal was against the refusal of Residential development.

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 Council's claim for costs relies on that the appellant submitted additional information at appeal stage which includes an ecological appraisal and flood risk and drainage technical statement.

4. The ecological appraisal was submitted during the Councils consideration of the planning application; however, they chose not to accept it due to the impact this would have had on the determination period. However, additional time could have been agreed which appears to have been the appellant's wish albeit the Council did have other overriding concerns in relation to the application.

5. I note the Councils concerns that the information submitted contains substantive information; however, the information provided within both documents seeks to clarify matters and does not propose any substantive changes to the appeal scheme. The Council have addressed the additional information during the appeal process, however, there is limited evidence to demonstrate any additional or wasted expense.

6. In view of the above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. Therefore, the application for costs is refused.

D Wilson

INSPECTOR