



Costs Decision

Site visit made on 15 July 2026

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2026

Costs application in relation to Appeal Ref: 6010250 23 Wragby Road, Sudbrooke, Lincoln, LN2 2QU

- 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 Mr Sath Vaddaram for a full award of costs against West Lindsey District Council.
 - The appeal was against the refusal of planning permission for the erection of a front boundary wall and railings and amendment to previously approved gates.
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Procedural Matter

1. The description that I have used in the banner heading above, is consistent with the description of the development that I have allowed in my appeal decision. It differs from that used on the planning application form and on the Council's decision notice. The reason for the difference is explained in the appeal decision.

Decision

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

Reasons

3. 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. Unreasonable behaviour can be procedural or substantive.
4. The appellant has claimed for a full award of costs in relation to both procedural and substantive matters. These can be summarised as follows:
 - A failure by the Council to properly assess the proposal as submitted by the appellant;
 - Factual errors within both the Council's decision notice and the officer's report;
 - Failure to engage with appellant whilst considering the planning application;
 - The introduction of a new issue (arboricultural concerns) without justification; and
 - Inconsistent decision making.

5. With regard to the assessment of the proposal, I also found that the description of the development given in the application form and on the Council's decision notice could have been worded more accurately. I have addressed this point in my appeal decision. In my opinion, the proposal was rightly assessed by the Council as being for the wall, gates and railings as a whole. This is clearly stated in the fourth paragraph of the officer's report. Whilst in isolation, parts of the wall may be permitted development, they are part of the overall structure and cannot be disaggregated from it.
6. In respect of factual errors, I am not persuaded that any errors relating to the interpretation of the drawings would have led the Council to a different decision. In the absence of stated dimensions on the plan, it is not unreasonable to use scaled plans and measuring tools in order to make an informed decision.
7. In respect of planning policies, I am satisfied that the Council assessed the proposal against the relevant Development Plan policies at the time, including the policies of the Sudbrooke Neighbourhood Plan.
8. The appellant is critical of the Council for not engaging with him during the planning application process. Whilst communication is encouraged, there is no obligation for the Council to engage with applicants. In this case, the Council considered the recent planning history, including the earlier appeal, and concluded that any communication would not have led to an acceptable development. Such an approach is not unreasonable.
9. With regard to the impact of the proposal on existing trees and the Council's requirement for the submission of an arboricultural method statement, I acknowledge that this was not a reason for refusal in the previous application or appeal. It is unclear as to why that was the case. Nevertheless, the Council's planning officers followed the advice of their Tree and Landscape Officer, particularly regarding the proposed changes to the plans. Whilst, I have found in favour of the appeal, the conduct of the Council is not unreasonable.
10. The appellant considers that the Council has acted in an inconsistent manner and points to other examples of similar boundary treatments in the locality. Whilst consistency in decision making is important, each case must also be determined on its own merits, particularly as the other examples given are located in different parts of Wragby Road and on Scothern Lane. For this reason, I do not agree that the Council has acted unreasonably.

Conclusion

11. In conclusion, I find that none of the above amounts to unreasonable behaviour on behalf of the Council, or that the appeal could have been avoided. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

Ian McHugh

INSPECTOR