



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 West Lindsey District Council for a partial award of costs against Mr Sath Vaddaram.
 - The appeal was against the refusal of the Council to grant 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 a partial 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 Council argues that the appeal proposal is very similar to the previous application, which was subsequently dismissed at appeal. It points to the Government guidance, which states that the appellant is at risk of an award of costs being made against them, if the appeal or ground of appeal had no reasonable prospect of succeeding. It further states that this may occur where the appeal follows a recent appeal decision in respect of the same, or a very similar development.
5. The Council contends that the proposal had little chance of success and also that the appellant's claims for costs are the same as the previous costs claim, which were dismissed by the previous inspector. The Council considers that this amounts to unreasonable behaviour and it seeks a partial award of costs to cover the time and expense that have been incurred in addressing the appellant's latest costs application.

6. Whilst in many respects the appellant's claim for costs includes matters considered by the previous inspector, I have concluded that the current proposal is materially different to the earlier proposal and, in that regard, it is not unreasonable for the decision and the Council's actions to be tested at appeal. Furthermore, the introduction of the second issue and reason for refusal, which was not raised previously, means that the appellant can justifiably have it considered further, both in terms of its planning merits and the reasonableness of the Council's approach.
7. I accept that the Council will have incurred some time and expense in rebutting the appellant's claim for costs. However, I am not persuaded that the time and expense, over and above that required in relation to the two matters above, would have been significant, given that they had been addressed as part of the previous appeal proposal.

Conclusion

8. 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