



Costs Decision

Site visit made on 10 October 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2024

Costs application in relation to Appeal Ref: APP/L1765/W/23/3334237 Folly Hill Farm, Northington Road, Itchen Stoke, Hampshire, SO21 1BS

- 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 T Egerton for a full award of costs against Winchester City Council.
 - The appeal was against the refusal to grant prior approval for the conversion of redundant agricultural barn to dwellinghouse and associated building operations.
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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. In this instance, the applicant has alleged that the Council has acted unreasonably in refusing the application. However, within the appeal decision I have concluded that the Council was correct in this regard.
4. In terms of consistency, the applicant provided details of a different scheme that was approved by the Council. There are some similarities to the appeal scheme, however it appears that no demolition work was proposed as part of that development and so it is not directly comparable.
5. With regards to engagement, there is no substantive evidence before me that would lead me to conclude that the Council has acted unreasonably in this regard. Indeed, I note that the appellant has not disagreed with the Council's statement that pre-application discussions were not entered into.
6. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR