
Costs Decision

Site visit made on 23 April 2025

by **H Faulkner BSc (Hons) MSc PGCE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Costs application in relation to Appeal Ref: APP/F0114/W/25/3359332

Double Hill Farm, Double Hill, Shoscombe, Bath and North East Somerset BA2 8PT

- 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 David Cradock for a full award of costs against Bath and North East Somerset Council.
- The appeal was against the refusal of prior approval planning permission for the erection of agricultural storage building.

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 applicant's claim is that the Council wrongly concluded that White Ox Airstrip was an aerodrome leading to the refusal of the Prior Approval. In determining the appeal I reached the same conclusion as the Council. Therefore, I cannot determine that the Council was unreasonable in reaching its decision.
4. There was inconsistency in the Council's decision making prior to the appeal in relation to a prior approval on another site. However, the Council states it has reviewed the situation since that decision was issued and found to be an error. The Council have sought to address the matter since that decision was made, leading to the refusal of this application. Whilst this may have been frustrating to the applicant the Council was right to correct a previous incorrect assessment.
5. I therefore conclude that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated. For this reason, an award of costs is not justified.

H Faulkner

INSPECTOR