



Costs Decision

Site visit made on 3 June 2025

by Colin Cresswell BSc (Hons), MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Costs application in relation to Appeal Ref: APP/Y3940/W/24/3358035 Land on the South-West side of Chalk Pit Cottage, Blandford Road, Coombe Bissett, Salisbury, SP5 4LH

- 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 Jadeplant Forest Ltd for a partial award of costs against Wiltshire Council.
 - The appeal was against the refusal of planning permission for a development described as “new-build residential housing located within land comprising historical industrial use and more recently highways depot storage”.
-

Decision

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

Reasons

2. Reason for refusal No 1 listed on the Council’s Decision Notice makes two separate points. Firstly, it refers to the topography of the site and says that the proposed development could not be adequately accommodated on it. Secondly, it refers to the steep access road and states that future occupiers would be reliant on use of private motor transport. Reason for refusal No 2 refers to the steep nature of the site and its visibility within the National Landscape.
3. I accept that these reasons could have been more clearly stated, particularly as Reason No 1 mixes two separate issues. However, it is clear enough from the commentary in the Case Officer’s Report and Council Statement why the proposal was deemed to be unacceptable on these grounds.
4. On the issue of reliance on motor vehicles, the Council’s evidence points to the steepness of the road and reference is made to a dismissed Appeal Decision on a nearby site. In terms of landscape harm, the Council argues that the topography of the site would require dwellings of a particular form and, to illustrate the point, reference is made to schemes that have been mooted here in the past. Photographs are also provided of the site from more distant vantage points within the landscape. Therefore, while I found in favour of the appellant on Reasons 1 and 2 within my main decision, the Council adequately justified its stance. This is not a case of vague or generalised assertions being made.
5. The appellant argues that the Council’s decision was inconsistent with planning approvals it has granted on other sites. However, the weight given to past decisions is largely a matter of planning judgement, which the Council was entitled to take its own view on. I am not convinced that a clear precedent for developing the site had been established and I have already found that the Council provided enough

evidence to substantiate its position. The planning history of the site was not determinative in the refusal of the application and there is little before me to indicate that Council deliberately misled on this matter.

6. I also take the view that the evidence presented by the Council has remained consistent throughout the appeal process. The weight assigned to particular development plan policies involves planning judgement and there is little to suggest that Council has changed its stance on the proposal since the application was determined. Despite suggestions in the appellant's Final Comments that the Council had chosen not to defend Reason 4 of the Decision Notice, there is nothing before me to indicate that was the case.
7. For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

C Cresswell

INSPECTOR