
Costs Decision

Site visit made on 22 July 2025

by **Juliet Rogers BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Costs application in relation to Appeal Ref: APP/E3335/W/24/3351613 Land East Of Quarry Hill, Blackford, Somerset BA22 7EA

- 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 Hopkins Estates Ltd for a full award of costs against Somerset Council.
 - The appeal was against the refusal of the erection of one custom-build dwelling, extension of residential curtilage to existing properties known as Church Farm and Church Farm Cottage, woodland planting and ancillary works.
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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 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. Whilst the applicant wrote¹ to the Council regarding the presence of two services within Blackford, this was sent after the determination of the planning application. The Bineham Lane² appeal was also decided after the Council refused outline planning consent. That being the case, the Council made their decision based on the evidence before them.
4. As it is not common practice for officers to revisit an application following determination, I see no reason to conclude that the Council should have done so in this case, despite being in receipt of additional information. Moreover, it is not clear why the applicant did not submit a pre-application request in order to undertake further negotiations and discussion.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Juliet Rogers

INSPECTOR

¹ Email dated 3 July 2024

² APP/E3335/W/23/3331042, dated July 2024