



Costs Decision

Site visit made on 19 August 2025

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 September 2025.

Costs application in relation to Appeal Ref: APP/H1705/W/25/3367007

Coopers Farm Barn, Bell Lane, Ellisfield, Basingstoke, RG25 2QU

- 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 Adrian De Ferranti for a full award of costs against Basingstoke and Deane Borough Council.
 - The appeal was against the refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a change of use of agricultural building to 5 no. dwellinghouses (Class C3) and for associated operational development.
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Decision

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

Preliminary Matter

2. I have used the description of development contained in the Decision Notice and Appeal form and I have removed words not related to acts of development for clarity.

Reasons

3. 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.
4. Unreasonable behaviour on the part of a local planning authority may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well-established case law, or not determining similar cases in a consistent manner.
5. The application is made on the basis that the Council has prevented development which should clearly be permitted and failed to produce evidence to substantiate a reason for refusal.
6. The Council provided a Statement of Case at appeal stage that appropriately elaborated on its concerns and provided reasons as to why it considered the appeal scheme to be undesirable and/or impractical.
7. Planning Practice Guidance (PPG) states that impractical or undesirable in this context are not defined in the relevant regulations. Consequently, that a reasonable, ordinary dictionary meaning should be applied. It further highlights that

impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”.¹

8. It is therefore a matter of planning judgement, and it will be seen from my decision that I do not consider the consideration of living conditions with regard to the privacy of future occupants to be unreasonable.
9. The Council in its Officer Report, Statement of Case and in its Decision Notice reference both ‘impractical’ and ‘undesirable’ and consequently, the omission of a direct reference to these terms in its final comments does not constitute an unsubstantiated reason for refusal. Moreover, in the Officer Report and Statement of Case the words are discussed in relation to their meaning regarding Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
10. Given all of the above, the Council did not behave unreasonably in its assessment of the application.

Conclusion

11. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

B Astley-Serougi

INSPECTOR

¹ Paragraph: 109 Reference ID: 13-109-20150305