
Costs Decision

Site visit made on 21 August 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2025

Costs application in relation to Appeal Ref: APP/E3335/W/25/3366670

Land off Deadmans Lane, Buckland St Mary, TA20 3QZ

- 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 Paul Martin for a full award of costs against Somerset Council.
 - The appeal was against the refusal of planning permission for a forestry storage shed.
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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 suggested that the Council has behaved unreasonably by failing to correctly apply permitted development criteria, by not engaging effectively with the applicant, and by not addressing the additional evidence provided as part of the appeal process.
4. However, I have set out within the appeal decision why I consider that the Council's interpretation was correct. In particular, I have concluded that the proposed building cannot be required for a forestry use. Moreover, the Council is not obliged to engage with the applicant, and it is notable that the Council has confirmed that pre-application discussions were not entered into.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR