
Costs Decision

Site visit made on 3 September 2025

by **Andreea Spataru BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th October 2025

Costs application in relation to Appeal Ref: APP/U2750/W/25/3366232

Park Farm, Main Street, Womersley, Selby, North Yorkshire DN6 9BG

- 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 Park Farm Womersley Development Ltd for a full award of costs against North Yorkshire Council.
 - The appeal was against the refusal of planning permission for a conversion of barn to a dwelling house.
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Decision

1. The application for 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 PPG also makes it clear that costs cannot be claimed for the period during the determination of the planning application although all parties are expected to behave reasonably throughout the planning process. Although costs can only be awarded in relation to unnecessary or wasted expense at the appeal or other proceedings, behaviour and actions at the time of the planning application can be taken into account in determining whether or not costs should be awarded.
4. The applicant asserts that some of the Council's reasons for refusal rely on matters outside the applicant's control, and some of the issues could have been solved through communication and planning conditions.
5. The Council found the development inappropriate in the context of the Green Belt policy and assessed its effect on the openness based on the submitted evidence and the surrounding area. Whilst reference is made to the removal of the trees to the south, the assessment does not rely solely on this element but takes into account the lack of details regarding landscaping. The Council's assessment regarding the use of the pole barn was made based on the information, or the lack of it, at the time of its decision.
6. Whilst further evidence has been provided at the appeal stage in terms of clarification regarding the use of the pole barn, a landscaping plan and an arboricultural assessment report, on which the Council had the chance to comment, the Council considered that these matters require consultation with the relevant departments. Whilst I have reached a different conclusion than that of the Council

regarding the living conditions of the future occupiers regarding privacy in relation to the Cobbles, the planning decision is one which is a matter of judgement and having regard to the Council's evidence in the planning officer's report, it is sufficiently clear to me that a robust assessment has been undertaken regarding all the relevant matters.

7. Whilst some of the matters related to the details of a landscaping scheme and the effect on the tree could have been mitigated through suitable conditions, I am satisfied that the Council's reasons for refusal were clearly substantiated based on the plans and evidence that were before the Council at that time, along with their assessment of the site, surrounding area, and interpretation of the relevant policies.
8. Even if there would have been more engagement during the application process, which might have addressed some of the Council's concerns, given the limited information regarding the pole barn provided by the applicant, it seems to me that there was a fundamental disagreement between the parties on the merits of the case, which could have only been resolved through the appeal process.

Conclusion

9. Accordingly, I conclude that the Council has not acted unreasonably and thereby caused the applicant to incur unnecessary or wasted expense. A claim for costs, either in whole or in part, is therefore not justified. Therefore, the application for an award of costs is refused.

Andreea Spataru

INSPECTOR