



Costs Decision

Site visit made on 9 September 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 October 2025

Costs application in relation to Appeal Ref: APP/U2615/W/25/3365862 Doles Poultry Farm, Stanmaur, Doles Lane, Bradwell, Great Yarmouth, Norfolk NR31 9DZ

- 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 Geoff Perry for a full award of costs against Great Yarmouth Borough Council.
 - The appeal was against the refusal to grant approval required for conversion of agricultural building to 3 single-storey dwellings (2no. 1-bedroom and 1no. 2-bedroom), including works of partial demolition of rear and front elevations and removal of part of the roof. Removal of wall panels and insertion of windows, doors and rooflights and infilling of an existing opening.
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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. This application relies on the case that the Council acted unreasonably by procedurally: failing to undertake a site visit; failing to process a GIRAMS payment; and requesting the submission of irrelevant information.
4. Additionally, the appellant considers that the Council acted unreasonably on substantive grounds by: failing to take into consideration proposed mitigation measures and suggested conditions; and basing their decision on factually incorrect assumptions.
5. This case relates to the behaviour of the Council during consideration of the planning application, rather than during the appeal process. The PPG makes it clear that costs cannot be claimed for the period during the determination of the planning application, but that all parties are expected to behave reasonably through the planning process. However, actions at the time of the planning application can be considered in my decision of whether costs should be awarded for unnecessary or wasted expense during the appeal process.
6. There is no substantive evidence before me to demonstrate that the Council did not undertake a site visit or failed to process the GIRAMS payment, indeed the officer report refers specifically to the payment and the amount received. Furthermore, the Council requested various pieces of further information to enable them to work proactively and try to alleviate concerns raised by their consultees and interested

parties. Both examples provided by the applicant could be relevant to Class Q considerations.

7. The applicant submitted insufficient evidence in relation to the effect of the proposed development on the living conditions of future occupants of the dwellings with regards to noise and disturbance. Concerns were raised during the application process regarding the potential agricultural use of other buildings within the wider unit and in the absence of any formal assessment, the Council was unable to determine whether the proposed mitigation measures and conditions would meet the tests as set out in the PPG.
8. For these reasons, I am satisfied that the Council acted reasonably in refusing the application.
9. I therefore conclude that unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process, as described in the PPG, has not been demonstrated. Therefore, the application for an award of costs is refused.

L Fern

INSPECTOR