



Costs Decision

Site visit made on 2 December 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Costs application in relation to Appeal Ref: APP/Y9507/W/25/3367560

The Newman Collard Playing Field, Hill Brow Road, Liss, Hampshire GU33 7LE

- 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 Newman Collard Trustees for a full award of costs against the South Downs National Park Authority.
 - The appeal was against the refusal of the Authority to grant planning permission for the formation of a multi-use games area (MUGA) with 3m high fence surround and 4no 6m high floodlight columns.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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.

Noise Assessment

3. The applicant has sought costs on the basis that the Noise Assessment that was requested by the Authority at the planning application stage was unnecessary. Notwithstanding that costs cannot be claimed for the period during the determination of the planning application¹, I consider that it was not unreasonable for the Authority to request this supporting information given the proximity of the proposed development to residential dwellings, given that a multi-use games area (MUGA) with floodlights could be used more intensively and for longer periods of time than an unlit grass pitch, and given that it may have different sound characteristics, for example when balls hit the fencing.

Effect of Delay on Scheme Costs

4. Whilst the cost of implementing the appeal scheme may have increased since the appeal application was submitted, costs awards cannot extend to compensation for indirect losses, such as those which may result from alleged delay in obtaining planning permission².

¹ <https://www.gov.uk/guidance/appeals#award-of-costs>

² *ibid*

Evidence to Support Reason for Refusal

5. The Authority's reason for refusal stated that the proposed MUGA would be within an area identified as existing football pitch provision and would result in the loss of an existing facility where there is no evidenced or justified need.
6. The applicant's submissions describe the attempts that it made to engage with the Authority to demonstrate that the appeal scheme would not result in the loss of a playing pitch. The applicant provided confirmation from a number of third parties that the appeal site had not been used as suggested in the Playing Pitch Strategy (PPS) for at least a decade, as well as attempts to explain why the PPS was incorrect. However, whilst the applicant's argument is mentioned in the officer report, the report concludes that the appeal scheme would remove the potential for the land to be used as 7v7 or 9v9 pitches in the future.
7. However, Policy SD43 of the South Downs Local Plan (2019) relates to the loss of or unacceptable adverse impacts on an existing community facility, not the potential for land to be used in a particular way at some point in the future.
8. The Authority has also noted that Sport England's advice was critical to this application and that fundamentally the application was refused due to a lack of evidence that the proposed MUGA was required, which would outweigh any impact on the existing playing fields / loss of playing pitch in the 'planning balance'. However, there is no evidence before me that the Authority ever made Sport England aware that its assumptions – that, based on the PPS, there was a 7v7 and a 9v9 pitch on the site – did not reflect the current situation or the use of the site over the past decade.
9. Therefore, I find that the failure of the Authority to base its decision on the existing situation, rather than on a hypothetical situation which may never come to pass, has resulted in an inaccurate assertion about the proposal's impact and that had this issue been addressed in light of the evidence provided to the Authority at the planning application stage, this appeal could have been avoided.

Costs Order

10. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the South Downs National Park Authority shall pay to the Newman Collard Trustees, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
11. The applicant is now invited to submit to the South Downs National Park Authority, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

P Burley

INSPECTOR