



Costs Decision

Site visit made on 5 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Costs application in relation to Appeal Ref: APP/D1265/W/25/3369094

Jubilee Farm, Burts Lane, Horton, Dorset BH21 7JX

- 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 G Revell for a full award of costs against Dorset Council.
 - The appeal was against the refusal of planning permission for a change of use of four buildings and yard to a mixed B2 and B8 use.
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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. 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.
4. The application is essentially made on the basis that the Council took an unreasonable period of time to issue its decision and has prevented development which should clearly be permitted.
5. Based on the evidence given, the timeliness of the determination of the Council's decision relates to behaviour during the planning application process rather than the appeal process. As such it is not within the scope of the costs regime and is a matter between the parties.
6. The choice of the Council to not ask for transport or other reports is not within the scope of the costs regime given that this is behaviour during the planning application process.
7. The Council determined the application against the National Planning Policy Framework (the Framework) as well as Local Plan Policies. It determined on the evidence before it, that the appeal scheme did not benefit from the exception outlined in paragraph 154(h)(iv) of the National Planning Policy Framework. Consequently, the appeal would not have been avoided.

Conclusion

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

B Astley-Serougi

INSPECTOR