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## Costs Decision

Site visit made on 2 December 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> January 2026

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**Costs application in relation to Appeal Ref: APP/P2935/W/25/3373761**

**Lawsons Farm, Whittonstall, Northumberland DH8 9JW**

- 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 & Mrs R Almond for a partial award of costs against Northumberland County Council.
- The appeal was against the refusal of prior approval for change of use from agricultural buildings to 2 No residential dwellings.

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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. The PPG makes it clear that a local planning authority is at risk of an award of costs if it fails to produce evidence to substantiate each reason for refusal on appeal and/or makes vague, generalised, or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis. The Council must clearly demonstrate on planning grounds why a proposal is unacceptable and provide clear evidence to substantiate that reasoning.
4. The applicant submits that Northumberland County Council acted unreasonably insofar as: 1) within its appeal statement it referred to correspondence with the Planning Inspectorate regarding its concerns that the appeal examples provided were inconsistent with other appeal decisions; 2) it failed to provide a response to a request for details of said correspondence in a timely manner. In light of these factors the applicant is seeking an award of costs against the Council.
5. Within their Statement of Case the applicant referred to two applications for Class Q prior approvals that were refused by the Council and allowed at appeal. In response to this submission the Council highlighted their concerns that these decisions were inconsistent with other appeal decisions and, in light of this, they stated that they were in correspondence with the Planning Inspectorate.
6. As such, the Council's disagreement with previous appeal decisions is not fresh evidence. The Council's concerns are a separate matter and not directly relevant to the appeal scheme. The Council Officers made a clear case for their view and provided sufficient justification for refusing prior approval on grounds relating to the

extent of building works proposed as part of the scheme. As such, I cannot agree the Council has acted unreasonably in this regard.

7. Based on the evidence before me, the applicants request for additional information regarding the Council's correspondence with the Planning Inspectorate was not subject to a specific timescale. For that reason, the Council did not act unreasonably in this regard.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

*C Livingstone*

INSPECTOR