



Costs Decision

Site visit made on 12 September 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Costs application in relation to Appeal Ref: APP/E3335/W/25/3368340

Land at Owl Street, Stocklinch, Somerset TA19 9JN

- 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 Dillington Estate against the decision of Somerset Council.
 - The appeal was against the refusal of planning permission for the proposal will demolish the existing barns, which have a previously approved Class Q change of use, and rebuild into 5 no. new habitable 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 indicates that the local planning authority will be at risk of an award being made against them if they fail to produce evidence to substantiate each reason for refusal, or rely upon vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. The applicant asserts that the Council failed to adequately consider the fallback position established by the extant permission. It is further argued that the Council did not clearly demonstrate, with evidence, that the proposal would result in harm to justify refusal.
5. However, the reason for the refusal set out in the decision notice is complete, specific and relevant to the application. Furthermore, the Council provides evidence, including the Minutes of the Planning Committee, and it demonstrates that the Planning Committee has considered the advice of their officer as well as the concerns raised by third parties. Although the meeting minutes are brief, the contents of the submission are sufficiently detailed and specific to substantiate their case.
6. It will be seen from my decision that I agree with the Council and that there were sufficient grounds for refusing planning permission, due to the lack of essential facilities and services in the area to meet day-to-day living needs, as well as my findings in relation to potential harm to the Ramsar site. It follows that I am satisfied that the Council has shown that it was able to substantiate its reason for refusal.

7. As a result, it follows that I cannot agree that the Council has behaved unreasonably in this case. The appeal provided the appellant with an opportunity to test the Council's decision, so they have not incurred unnecessary or wasted expense in doing so.

Conclusion

8. For the above reasons, I 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.

O Tresa

INSPECTOR