



Costs Decision

Site visit made on 12 January 2026

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 January 2026

Costs application in relation to Appeal Ref: APP/E2001/W/25/3375209 Land North West of Boynton Closes, Church Lane, Reedness, East Riding of Yorkshire DN14 8DZ

- 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 Richard Strawson, W.H. Strawson (Notts.) Limited, for a full award of costs against East Riding of Yorkshire Council.
- The appeal was against the refusal of planning permission originally described as “This planning application has been submitted for the change of use of 1.55 hectares of an arable field into a dog exercising area and car park at Land North West of Boynton Closes, Church Lane, Reedness, DN14 8DZ.

The proposal will involve customers booking 30 or 60 minute sessions using an online booking system. They will then have exclusive use of the field for the duration. Only customers who have made a prior booking will be able to use and access the field. The maximum number of dogs per booking will be restricted to six at any one time.

Design Proposal: This proposal involves developing a secure dog exercising area alongside necessary parking and access facilities. Below is a summary of the plan:

1. Secure Dog Exercise Area:

Size: 1.48 hectares.

Details: This section of the agricultural field will be fenced to ensure safety and security for dogs.

2. Car Park:

Size: 300 square metres.

Details: This area will be surfaced with hardcore and fenced to provide secure parking facilities.

3. Access Road to the Car Park:

Size: 373 square metres.

Details: This will be surfaced with hardcore but not fenced, allowing access.”

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 applicant considers that the Council failed to work proactively, and that they refused the application despite their offer to provide further information. They contend that no ecological harm was identified and that the refusal relied only on an absence of information, despite the site being intensively farmed land with low ecological value and no physical works proposed to ditch habitats. The applicant has referred me to the Biodiversity Net Gain Statement and state that they have incurred unnecessary professional costs in preparing and pursuing the appeal.

4. The Council outlines its approach to amendments, which was communicated to the applicant during the application process. This approach is intended to ensure that applications are processed in a timely manner, and to avoid a build-up of caseloads and delays in the system.
5. I recognise that the Council's nature conservation officer issued a holding objection seeking further information and my attention has been drawn to case law¹ in relation to this matter. My appeal decision sets out why I have found in favour with the Council's case on both reasons for refusal, and why the fence could not be erected under permitted development rights. While planning conditions can be used to allow additional information to be submitted at a later stage, this is not appropriate in this instance for the reasons outlined in my appeal decision. Therefore, the Council did not refuse planning permission on a planning ground capable of being dealt with by conditions.
6. The additional information sought by consultees was extensive and would have taken a notable period of time to produce and assess. The scheme was also refused due to its impact on the character and appearance of the site and area. Thus, when considered as a whole, the issues raised by the Council were not minor matters, as asserted by the applicant. Accordingly, the Council has not prevented development that should clearly have been permitted, having regard to the development plan, national policy and other material considerations.
7. For these reasons, I find that the Council's handling of the application and its assessment of the proposal was not unreasonable to support an efficient and timely planning system. I therefore conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Consequently, the application for an award of costs is refused.

L Wilson

INSPECTOR

¹ R (on the application of Simon Woolley) v Cheshire East Borough Council