



Costs Decision

Site visit made on 2 March 2026

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Costs application in relation to Appeal Ref: APP/E2530/W/25/3377087 Bailey Bridge Farm, Holme Lane, Claypole, Lincolnshire NG23 5AP

- 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 H Allen for a full award of costs against South Kesteven District Council.
 - The appeal was against the refusal of prior approval for the erection of a Dutch barn.
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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 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 costs application is made principally on two grounds. Firstly, that the respondent was unreasonable in its assessment of the extent of the agricultural unit and the size of the parcel of land on which the proposed building would be sited, and secondly that the respondent's argument that the proposed development was not reasonably necessary was based upon erroneous and unreasonable assumptions and judgements about how the farm should operate. I have addressed matters relating to both of those grounds in my decision letter and I have set out my reasoning in both respects.
4. In dismissing the appeal, I have found that the applicant provided insufficient information with regard to both the extent of the agricultural unit and whether the proposed building would be reasonably necessary for the purposes of agriculture within the unit. Ultimately this means that the respondent has not, as the applicant alleges, unreasonably delayed or prevented development which should have clearly been permitted. In refusing the application and defending the appeal, I am satisfied that the respondent has adequately outlined and explained their concerns and has defended their position.
5. I agree with the applicant that the respondent could have accepted that the agricultural unit exceeded the permitted development minimum land areas based on the information that had been provided in plan and written form, but this was not determinative on the decision they ultimately made. The respondent's position that there could be no justification for a new building because livestock numbers had not been increased and that even hay produced within the unit should not be stored

for sale appears muddled. But I am satisfied that this did not materially infect the substance of their overall rejection of the application.

6. I do not infer from the respondent's submissions that they had a concern as to the proximity of the proposed building to dwellings and it being used to house livestock. This was not referred to in the reason for refusal. And even if reliance on that consideration or those highlighted in the preceding paragraph were to be considered to represent unreasonable behaviour, none led to the delaying or preventing of development which should clearly have been permitted. This is because there were other reasons relating to the size of the agricultural unit and to whether the proposed building would be reasonably necessary that were at least equally central to the respondent's case.
7. For these reasons, I conclude that the applicant has not incurred unnecessary or wasted expense in the appeal process and consequently that an award of costs is not warranted.

Graham Wright

INSPECTOR