



Costs Decision

Inquiry held on 17 - 20 March 2026

Site visit made on 17 March 2026

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2026

Costs application in relation to Appeal Ref: APP/H1705/W/25/3375722

Land South West Of Overton Sapley Lane, Overton, Hampshire, RG25 3NT

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Bargate Homes for a full award of costs against Basingstoke and Deane Borough Council.
 - The inquiry was in connection with an appeal against the refusal planning permission for up to 130 dwellings (Use Class C3), public open space (including country park) and associated landscaping and infrastructure works; with all matters reserved except for means of access.
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Decision

1. The application for an award of costs is refused.

The submissions for Bargate Homes

2. The costs application was submitted in writing. As such I will not repeat the submission in full here, but the applicant refers to the appeal scheme as development which should clearly be permitted and an alleged failure of the council to substantiate its refusal of planning permission.

The response by Basingstoke and Deane Borough Council

3. The response was made in writing. The council refutes the applicants claim and the response refers to the consistency of the expert evidence presented at the Inquiry with the council's Landscape and urban design officers consultation responses at the time the application was determined.

Reasons

4. 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.
5. The council entered into comprehensive statements of common ground including in respect of housing land supply and landscape. Furthermore, the council has not contested the reason for refusal that related to the provision of affordable housing and infrastructure at an early stage when it was readily apparent that the appellant would be submitting a planning obligation in respect of these matters.
6. While I have not agreed with the council in respect of the weight afforded to the landscape harm identified and I have not agreed with all of the landscape harm

identified, it is readily apparent that there is landscape harm resulting from the appeal scheme and that the council's case presented at the inquiry was robust and consistent with the comments made by the council's Landscape and urban design officers in the course of determining the application.

7. While I have allowed the appeal, I do not consider that the appeal scheme is development that should clearly be permitted because both parties recognise a degree of harm and therefore it falls to the decision taker to weight the harms and benefits of the appeal scheme.
8. A planning committee is not obliged to follow the recommendation of its officers, in this instance to approve the application, I am satisfied that the council was not unreasonable in reaching the decision that it did and I am satisfied that the council has substantiated its reason for refusal with expert evidence at the inquiry.
9. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted in this instance.

Mr M Brooker

INSPECTOR