



Costs Decision

Site visit made on 1 April 2026

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2026

Costs application in relation to Appeal Ref: APP/Y9507/C/24/3350043

Land at Horse Chestnut Farm, The Causeway, Petersfield GU31 4LR

- 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 Shane Walsh for a partial award of costs against an interested party, Mr Arun Glendinning.
 - The appeal was against an enforcement notice alleging the failure to comply with condition 3 imposed on planning permissions ref SDNP/15/03090/FUL granted on 28 August 2015 and condition 2 of planning permission SDNP/16/05326/FUL granted on 1 February 2017.
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Decision

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

Preliminary Matters

2. The application for partial costs is in relation to the appeal with reference APP/Y9507/C/24/3350043 and not the other appeal that I considered alongside it in the related appeal decision.

Reasons

3. 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.
4. The applicant has confirmed that they are not pursuing the Council with regard to their behaviour through the appeal process. This application for a partial award of costs is made against Mr Glendinning as an interested party who has made comments and submitted evidence about the matters addressed within the enforcement notice. The PPG states that it is not anticipated that awards of costs will be made in favour of, or against interested parties (as opposed to main parties), other than in exceptional circumstances. The guidance goes further and states that an award will not be made in favour or against interested parties where a finding of unreasonable behaviour by one of the main parties relates to the merits of the appeal.
5. Mr Glendinning has provided submissions and evidence in relation to the appeal. It is not clear what was submitted to the Council prior to the issuing of the enforcement notice. However, even if the Council had utilised information supplied by them prior to the issuing of the notice, the Council has clarified that it conducted its own investigations beforehand. An interested party is entitled to make such representations. The applicant for costs was accepted as having the right of

appeal and so the view of Mr Glendinning that he should not be accepted, has made little difference to the appeal proceedings overall. Whilst there are other matters in dispute between the various parties, I can only concern myself with the behaviour through the appeal process.

6. Mr Glendinning has not acted unreasonably in the appeal proceedings. Furthermore, I can see no evidence to indicate that there are any exceptional circumstances in which a costs award should be made against them. Therefore, an award of costs is not warranted.

Andy Harwood

INSPECTOR