



Costs Decision

Site visit made on 30 March 2026

by **C Cooper-Young MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st May 2026

Costs application in relation to Appeal Ref: APP/E3335/W/25/3376677

Cornmoor Farm, Cornmoor Lane, East Huntspill, Highbridge, Somerset TA9 3NZ

- 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 and Mrs W Puddy for a full award of costs against Somerset Council.
 - The appeal was against the refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the change of use of agricultural building to 1 No. dwellinghouses (Class C3), and associated building operations.
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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, 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. Unreasonable behaviour on the part of a local planning authority may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well-established case law, or not determining similar cases in a consistent manner.
4. The application is made on the basis that the Council failed to apply the correct interpretation of established case law to the determination of the application.
5. The planning history outlines two previous refusals for the same development proposal. The Council's Decision Notice is clear and unambiguous in its reason for refusal, which is complete, precise, specific and relevant to the development proposed.
6. I find that the Council has been consistent in its reasoning with regard to the implications of the planning condition and Article 3(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015, and planning case law.
7. As outlined in my main decision, I agree with the Council's judgement with regard to the effect of the relevant condition, and I consider this was sufficient grounds for refusing approval. I therefore do not find that the Council has acted unreasonably in respect of this matter. As such there can be no question that the applicant was put to unnecessary or wasted expense as a result.

8. Given the above, I do not find that the Council failed to interpret established planning case law correctly.

Conclusion

9. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Cooper-Young

INSPECTOR