



---

## Costs Decision

Site visit made on 4 August 2026

**by M Madge Dip TP MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 August 2026

---

### **Costs application in relation to Appeal Ref: APP/D2510/C/26/3378456 Land at Askern House, Dickon Hill Road, Friskney, Boston PE22 8PP**

- The application is made under the Town and Country Planning Act 1990, sections 174, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Andrew Owen for a full award of costs against East Lindsey District Council.
  - The appeal was against an enforcement notice alleging “Without planning permission, the material change of use of the Land from agricultural use to a private residential caravan site, including the siting of two static caravans for permanent residential occupation, the storage of caravans, vehicles, and trailers.”
- 

### **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. It is the appellant’s contention that the Council failed to sufficiently investigate the activities being carried out on the land, which has resulted in the allegation being incorrect. This has put the appellant to the unnecessary cost of bringing the appeal.
4. The Council investigated the allegation in a timely manner. Planning Contravention Notices were issued, the responses to which informed the drafting and service of the notice in due course.
5. I have found that the allegation incorrectly identifies the former use of land to be agriculture, however there is no statutory requirement for the former use to be included. I also found that the material change of use alleged had not occurred, it was however evident that a material change of use to a mixed use of residential and the storage of caravans had occurred. While I could not correct the allegation without causing injustice to the appellant, more likely than not, if the Council had issued a notice citing the correct allegation an appeal would, more likely than not, still have been lodged.
6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

*M Madge*

INSPECTOR