Planning Inspectorate

Costs Decisions

Inquiry held on 22, 23 & 29 September 2026

Site visit made on 23 September 2026

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2026

Costs applications in relation to Appeal Refs: APP/F1610/C/26/3378463 (Appeal A) & 3378464 (Appeal B)
Land north of Longbarrow Farm, Chedworth, Gloucestershire GL54 4NE

- 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 applications are made by Ms Laurina Blakenspoor (Appeal A) and Mr Tom Marsh (Appeal B) for a full award of costs against Cotswold District Council.
- The inquiry was in connection with appeals against an enforcement notice alleging the material change of use to a commercial holiday camping site and the carrying out of operational development in association with the change of use.

Decisions

1. The applications for an award of costs are refused.

The submissions for Laurina Blakenspoor and Tom Marsh

2. The costs application was submitted in writing.

The response by Cotswold District Council

3. The response was made in writing.

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 applicants state that the Council acted unreasonably by:

   (i) Issuing (or not immediately withdrawing) a notice which was bound to fail on the alleged use and contained a series of unclear allegations on operational development, much of which was obviously lawful or appropriate to retain.

   (ii) Enforcing against development which is obviously acceptable in planning terms.

6. The PPG advises that, for enforcement action, local planning authorities must carry out adequate prior investigation. They are at risk of an award of costs if it is concluded that an appeal could have been avoided by more diligent investigation that would have either avoided the need to serve the notice in the first place, or ensured that it was accurate. The applicants state that it was made obvious to the

Council when they received notice of the exemption certificate that the caravan site use they have enforced against was lawful when the notice was issued.

7. However, the Council's position is that, whether the exemption certificate was in place or not, the use was not granted by the Town and Country Planning (General Permitted Development)((England) Order 2015 (as amended) (the GDPO) by virtue of Article 3(1) of the GPDO and regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017 (general development orders). As set out in my decision letter, I have found that a breach has occurred and that the use did not benefit from the permission granted by the GPDO. It follows that the Council did not act unreasonably in issuing the notice, or by not subsequently withdrawing it.

8. It is suggested that the operational development allegations are 'shambolic', whether they are based on the use or freestanding, ignoring other permitted development rights and what they require. However, as set out in my decision letter, it is possible to correct the notice to provide clarity regarding the works that are being attacked by the Notice. Although I have found that the Notice should be corrected, it is clear from the evidence and from my decision letter that a breach has occurred. I do not believe the Council acted unreasonably in issuing the enforcement notice, or that the appeal could have been avoided by more diligent investigation.

9. The PPG advises that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this 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.

10. I have found that the appeal scheme conflicts with the development plan as a whole and that there are no material considerations that indicate that the development should be taken other than in accordance with the development plan. It therefore follows that the Council has not prevented or delayed development which should clearly be permitted.

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

M Savage

INSPECTOR