



Costs Decision

Site visit made on 28 July 2026

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 August 2026

Costs application in relation to Appeal Ref: 6006782

Land North West of Leicester Road, Earl Shilton, Leicestershire LE9 7TJ

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Robert Finch for a full award of costs against Hinckley and Bosworth Borough Council.
 - The appeal was against the refusal of outline planning permission for the change of use of agricultural land to commercial uses (Use Classes B2, B8 and E) and the provision of 19 commercial units.
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Decision

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

Reasons

2. The Planning Practice Guidance 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. Although the appellant has applied for an award of costs against the council, no detailed grounds have been provided to support the application. Therefore, the cost application has been assessed on the basis that the appeal could have been avoided because the appeal scheme would be an appropriate form of development in this location and the adequacy of supporting information presented to, and assessed by, the council. In the absence of any detailed grounds for the application, the council has provided high level commentary as to why the award of costs is unjustified.
4. Both in the Planning Officer's report and the evidence submitted with the appeal, the council has clearly identified the unacceptable harm that would be caused to the character and appearance of the open countryside and explained its concerns about the limited information provided concerning the demand and need for the proposed commercial floorspace. The council also recognised the economic benefits which would arise from the proposed development and assessed whether the appeal site was situated adjacent to Earls Shilton.
5. On this basis, the council's concerns about the harm caused by the proposed commercial development in this location to the character and appearance of the open countryside were fully justified. It was also reasonable for the council to have reached a planning judgment that the identified harm was not outweighed by the potential economic benefits of the proposed development, particularly where the

demand or need for the commercial floorspace in the Earls Shilton area was not clearly established by the limited information supporting the application.

6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

D J Barnes

INSPECTOR