

# Costs Decision

**by Gareth Symons BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 4 August 2021**

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**Costs application in relation to Appeal Ref: APP/B9506/C/21/3266195  
Land at Mount Pleasant Lane, Lymington SO41 8LS**

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr Peter Curtis for a full award of costs against New Forest National Park Authority (NPA).
  - The appeal was against an enforcement notice alleging the material change of use of the land and associated operational development.
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## Decision

1. The application is refused.

## Reasons

2. Planning Practice Guidance (PPG) advises that irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary expense in the appeal process.
3. I have already found in my appeal decision that it was legitimate for the NPA to attack the whole woodland, including the appellant's land known as plot 1. The NPA did not behave unreasonably. As such, there is no basis to award costs.

*Gareth Symons*

INSPECTOR