



Costs Decision

Site visit made on 8 January 2025

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

**Costs application in relation to Appeal Ref: APP/B1740/W/24/3343904
Cracknore Cottage Cracknore Hard Lane, Marchwood, SOUTHAMPTON, SO40
4UT**

- 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 Simon Bailey for a full award of costs against New Forest District Council.
 - The appeal was against the refusal of planning permission for the erection of new detached dwelling and associated landscaping works on land adjacent to Cracknore Cottage.
-

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. In this instance, the applicant has suggested that the Council's planning committee acted unreasonably with regards to refusing the application, and also the way in which the decision was reached. However, on this occasion I am of the view that the committee was correct to have concerns about the effect of the proposal on the character and appearance of the area. Clearly such matters are subjective, and it is therefore not unusual for the Council's planning officers to have reached a different conclusion. Furthermore, while the applicant may have concerns about the nature of the committee's deliberations on this case, it is clear that the Council has produced a decision notice that clearly articulates the reasons for refusal, including the relevant development plan policy.
4. On this basis, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR