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## Costs Decision

Site visit made on 15 July 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 July 2025

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### **Costs application in relation to Appeal Ref: APP/D1265/W/25/3360247**

#### **The Lodge, Redbridge Manor, Uddens Drive, Holt, Dorset BH21 7BH**

- 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 Clark Estates (UK) Ltd for a full award of costs against Dorset Council.
  - The appeal was against the refusal of planning permission for demolition of existing lodge and erection of a replacement lodge, with detached garage and associated landscaping.
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### **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. The PPG<sup>1</sup> 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. This could 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. Other examples include vague, generalised or inaccurate assertions about a proposal's impact, and failing to review its case promptly.
4. In its Officer Report, the Council provided its assessment of the increase in the size of the proposed dwelling, in comparison to the existing. The appellant has subsequently provided their own more detailed figures, which the Council does not dispute. These include differences in the volume and footprint of the existing and proposed buildings, compared with the Council's calculations.
5. The Council has sought to rely primarily on its Officer Report in defence of its position. However, in reviewing its case and accepting the appellant's figures, it has still maintained its objection to the proposal. As I have found in my decision letter, the proposal would result in a material increase in the size of the building, upon which the Council's case was based. Although I have found that the proposal would comply with another exception provided by the Framework, the dispute over the volumetric figures would clearly not have led to the appeal being avoided.

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<sup>1</sup> Paragraph: 049 Reference ID: 16-049-20140306

6. For these reasons, the Council has not delayed development which should clearly have been permitted, and it has made a respectable case regarding its concerns about the effect on the Green Belt. Although I have reached a different conclusion to it, the Council has not behaved unreasonably or caused the applicant to incur unnecessary or wasted expense in the appeal process.

### **Conclusion**

7. For the reasons given above, unreasonable behaviour by the Council resulting in unnecessary or wasted expense has not occurred, and an award of costs is not therefore warranted.

*O Marigold*

INSPECTOR