



Costs Decision

Site visit made on 21 July 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Costs application in relation to Appeal Ref: APP/N4720/W/25/3365549

Former Oakhill Lodge, Roundhay Park Lane, Shadwell, Leeds LS17 8AR

- 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 Mr and Mrs Williams for a full award of costs against Leeds City Council.
 - The appeal was against the refusal of planning permission for a new dwelling to replace previously demolished Lodge, including the creation of a new access to serve the existing Oakhill Estate, new boundary wall and repositioned gateposts, landscaping and associated works.
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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. It is alleged that the council delayed posting consultation responses and as a result the applicant was not given sufficient time to review and respond to the comments raised prior to determination. It is also alleged that the council amended the description of the proposed development prior to the determination of the application.
4. The council should have relied upon the description of development set out on the application form unless changes were agreed by the applicant. It is also regrettable that the applicant did not get early notice of consultation responses. The council have not responded to these allegations. However, it is unclear how these matters have led to any wasted expense as these matters do not go to the heart of the appeal. Whilst some matters could have been addressed as part of the application rather than the appeal, the costs of doing so would have been the same. The appeal and the associated costs would however have been inevitable, as the main matters of substance remained in dispute.
5. On the basis of the above, unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. An award of costs is not therefore justified.

Peter Eggleton

INSPECTOR