



Costs Decision

Site visit made on 16 October 2025

by **S Leonard BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Costs application in relation to Appeal Ref: APP/B1740/W/25/3366785

Land to the rear of Willow Cottage, Hightown Road, Ringwood BH24 3DY

- 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 - Blumariin Ltd for a full award of costs against New Forest District Council.
 - The appeal was against the refusal of planning permission for the erection of two dwellings.
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Decision

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

Reasons

2. The Planning Practice Guidance (the Guidance) advises that parties in planning appeals are normally expected to meet their own expenses. Irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby causes the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The Guidance advises that parties who pursue an appeal unreasonably without sound grounds for appeal, may have an award of costs made against them. It confirms that awards against local planning authorities may be either procedural, having regard to behaviour in relation to completing the appeal process, or substantive, relating to the planning merits of the appeal. The applicant is seeking a full award of costs on procedural, including procedures during the determination of the planning application, and substantive grounds.
4. My appeal Decision which accompanies this costs Decision and should be read in conjunction with it, explains why I have dismissed the appeal, and why I find that the Council was justified in refusing the application based upon its first reason for refusal.
5. Moreover, whilst I have not needed to consider the applicant's submitted Unilateral Undertaking (UU) and reach a conclusion in respect of the second reason for refusal, I find that this refusal reason was justified at the time of the decision based upon the planning application submissions up until that date.
6. My appeal Decision describes why, notwithstanding the planning history of the site and neighbouring land, I have not found issue with the Council's approach to the determination of the planning application and its defence of the appeal. I have also found its first reason for refusal to have been adequately substantiated at

application and appeal stage, having regard to demonstrating harm to the character and appearance of the area.

7. I have also concluded that, notwithstanding the submission of the applicant's habitat mitigation UU at appeal, the application of the presumption in favour of sustainable development advocated in paragraph 11 of the Framework does not lead to approval of the appeal scheme.
8. I have noted the applicant's concerns about delays in Council responses during the determination period. However, the applicant did not seek pre-application advice from the Council, as advocated in Chapter 4 of the Framework to identify the likely planning issues and what supporting information would be required to be submitted in respect of the planning application. Whilst the site has a planning application and appeal history, I find that this does not necessarily preclude the need for pre-application advice in respect of the current scheme.
9. Accordingly, having regard to the above, I find that the Council was entitled to refuse the application for the reasons given and to defend the appeal for the reasons stated, and it has not acted unreasonably in so doing.

Conclusion

10. For the above reasons, I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated.

S Leonard

INSPECTOR