



Costs Decision

Site visit made on 1 December 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Costs application in relation to Appeal Ref: APP/N2535/W/25/3368512 The Old Barn, Willingham Hill, North Willingham, Market Rasen LN8 3RN

- 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 Neil Blake for a full award of costs against West Lindsey District Council.
 - The appeal was against the refusal of planning permission to replace the remaining 6 windows with black ash wood effect UPVC frames to match the window on the side elevation.
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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. Local planning authorities are required to behave reasonably in relation to procedural matters at the appeal and with respect to the substance of the matter under appeal. Examples of unreasonable behaviour may include preventing or delaying development which should clearly be permitted, failure to produce evidence to substantiate each reason for refusal or vague, generalised or inaccurate assertions about a proposal's impact, unsupported by objective analysis.
4. The applicant for costs contends that they have incurred wasted expense related to increased pricing for the windows due to the delay associated with the refusal, costs for their time, inconvenience and distress in having to make an appeal and, potentially, costs associated with replacing the existing arched window in the side elevation due to conflicting advice from the Council.
5. In the first instance, costs can only be awarded in relation to unnecessary or wasted expense at the appeal and those that are unrelated to the appeal are ineligible. As set out in my decision, the planning status of the existing window is not within the remit of the appeal and so there can be no claim in regard to this.
6. It will be seen from my decision that, while I agree with the Council's position that the appeal building can be considered a non-designated heritage asset, I have found that the proposal would not have a harmful effect on the character and appearance of the host dwelling and surrounding area, including the significance of the NDHA and the landscape and scenic beauty of the Lincolnshire Wolds NL.

7. While I have taken a different view to the Council, this is ultimately a matter of planning judgement. The Council's reasons for refusal are set out clearly in the decision notice. Further justification is provided in the Council's officer report and subsequent appeal statement, with reference to local and national planning policy and guidance and relevant material considerations.
8. I therefore do not consider that the Council acted unreasonably in its assessment of the application or that its approach was fundamentally flawed.

Conclusion

9. I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

Ryan Cowley

INSPECTOR