

Mr Robert Lennis  
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**BY EMAIL**

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Date: 10 January 2025  
Your reference: APP/D1265/W/24/3353912  
Our reference: BS 2987

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Dear Mr Lennis

**Re: Dorset Councils invitation to withdraw the appeal at Land West of Church Hill and Land off Butts Close and Schoolhouse Lane, Marnhull**

I am writing in response to your letter of the 16<sup>th</sup> December inviting the appellant to withdraw the appeal before either party incurs costs.

I can confirm that we will be continuing with the appeal. We will continue to contend that the North Dorset Local Plan is 'out of date'. Irrespective of that primary contention the merits of the appeal scheme justify the grant of permission even with the application of the 'flat balance'.

In respect of your comments on applying for costs if the Local Authority carries out your own retail Impact assessment (RIA), I would like to remind you that in your statement of case you admit that:

*"In terms of the omission of the retail impact assessment from the application, we consider that CL is correct that, as the retail and leisure elements of the proposal are under the NPPF threshold of 2,500 sqm gross and there is no specific lower threshold set in the LP (indeed, the 2,500 sqm is referenced in para 6.82), there is no requirement as a matter of strict policy to submit one."*

We now will also commission an RIA, but will be seeking a partial award of costs for having to do so, given you openly admit that one isn't required by Policy 12 or the NPPF, as the floor area is below the threshold.

Yours sincerely

A black rectangular box redacting the signature of Clare Spiller.

Clare Spiller BSc (Hons) PG Dip T&CP MRTPI  
**Associate Director**