The Planning Inspectorate

# Costs Decision

Site visit made on 2 May, 2017

**by Nicola Davies BA DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 6th June, 2017**

**Costs application in relation to Appeal Ref: APP/C3620/W/17/3166717**
**Gracelands, Rusper Road, Newdigate RH5 5BX**

- 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 Peter Gibbs for a full award of costs against Mole Valley District Council.
- The appeal was against the refusal of planning permission as described as *"erection of 1 new dwelling; in the alternative to permission granted under MO/2016/0852/PNQ, 'change of use from agricultural building to 1 dwelling'"*.

## Decision

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

## Reasons

2. Irrespective of the outcome of the appeal, costs may only 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 appellant's cost application provides text taken from the Planning Policy Guidance relating to applications for costs and emphasises different parts of the text by highlighting it in different font sizes and colours. However, the appellant has not specifically set out or explained how the Council has behaved unreasonably resulting in the appellant incurring unnecessary or wasted expense.

4. I am satisfied that the Council has considered the application on its own merit in light of policy considerations and that the Council has substantiated its reasons for refusal. I am also satisfied that the potential fallback position has been duly considered by the Council. I have not been provided with any substantive or detailed evidence by the appellant that would indicate otherwise or that would direct me to any specific Council conduct that has been unreasonable.

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

*Nicola Davies*

INSPECTOR