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## Costs Decision

Site visit made on 12 March 2019

**by J Evans BA(Hons) AssocRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 July 2019**

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### **Costs application in relation to Appeal Ref: APP/Z3825/W/18/3210560 Waterland Chalet, Guildford Road, Slinfold, Horsham RH13 0QZ**

- 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 Mark Delapole for a full award of costs against Horsham District Council.
  - The appeal was against the refusal of planning permission for the conversion of existing barn for holiday let / tourism purposes together with proposed mobile field shelter stabling.
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### **Decision**

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

### **Reasons**

2. 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. The applicant is seeking a full award of costs against the Council and has highlighted a number of the sections of the PPG which advise that an award of costs against a Council may be procedural, relating to the appeal process, or substantive, relating to the planning merits of the appeal. The PPG makes clear that a local planning authority is required to behave reasonably in relation to both of these elements and provides examples of unreasonable behaviour.
4. The Officers Report and the Written Statement of the Council set out a detailed assessment of the appeal proposal against the development plan and other material planning considerations.
5. The reason for refusal is also complete, precise, specific and relevant to the application submitted. It clearly states the policies of the development plan and the material planning considerations that, in the Council's view, the proposal would conflict with.
6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. It therefore follows that an award of costs is not justified and the application fails.

*J Evans*

INSPECTOR