



Costs Decision

Site visit made on 31 May 2023

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2023

Costs application in relation to Appeal Ref: APP/Q1445/W/23/3318920 Rayford House, School Road, Hove, BN3 5HX

- 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 Inspire Property Investments for a full award of costs against Brighton & Hove City Council.
- The appeal was against the refusal of planning permission for erection of four storey extension to east side to form 4no additional 2 bedroom dwellings and associated works without complying with conditions attached to planning permission Ref BH2020/00955, dated 22 June 2020.

Decision

1. The application 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. The applicant has not provided any substantive evidence to demonstrate that the Council was unreasonable in refusing the planning application. Whilst I have allowed the appeal, I have not done so in the terms sought by the appellant.
4. The Council's decision to refuse planning permission comes down to a different interpretation of its adopted development plan policies. Whilst I have disagreed with that interpretation, there is no evidence before me to indicate that the Council acted unreasonably in coming to its conclusion. Indeed, it is evident that the Council carefully considered the evidence before it prior to determination of the planning application.

Conclusion

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. As such, the application for an award of costs is refused.

Luke Simpson

INSPECTOR