



Costs Decision

Site visit made on 3 June 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 JULY 2025

Costs application in relation to Appeal Ref: APP/D3830/W/25/3361012

Firs Farm, Copthorne Common, Copthorne, West Sussex RH10 3LF

- 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 DevTec Properties for a full award of costs against Mid Sussex District Council.
 - The appeal was against the refusal of planning permission for the conversion of two buildings to 1 x single family dwellinghouse (Use Class C3) with associated amenity space and parking provision.
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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. Unreasonable behaviour on the part of a local planning authority (LPA) may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well-established case law, or not determining similar cases in a consistent manner.
4. I have found in my appeal decision that the proposal would enhance the immediate setting of the site and would be in a sustainable location. However, this was a matter of planning judgement, and the LPA has set out its reasoning for reaching a different conclusion in determining the application in the case officer report, including determining each case on its own merits. I find that the reasons on the decision notice were complete, precise and specific in relation to the policies in the development plan. While I do not agree with the LPA conclusion, I do not consider the LPA acted unreasonably in refusing permission.

Conclusion

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as defined in the PPG, has not been demonstrated. Accordingly, the application for costs is refused.

C Coles

INSPECTOR