



Costs Decision

Site visit made on 12 August 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 20th August 2025

Costs application in relation to Appeal A Ref: APP/D3830/W/25/3366245

Firs Farm, Copthorne Common, Copthorne 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 Mr Matt Smith of 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 a storage building to form two dwellinghouses (2 x Use Class C3 Single Family Dwellinghouses).
-

Appeal B Ref: APP/D3830/W/25/3366246

Firs Farm, Copthorne Common, Copthorne 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 Mr Matt Smith of 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 (Use Class E) to form a three-bedroom family dwellinghouse (Use Class C3), associated outbuilding, amenity space and parking provision.
-

Decision

1. The application for an award of costs in relation to Appeal A is refused.
2. The application for an award of costs in relation to Appeal B is refused.

Reasons

3. The Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party which has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The PPG states that awards may be either procedural in regard to behaviour in relation to completing the appeal process or substantive, which relates to the planning merits of the appeal.
4. This application is made on substantive grounds. The applicant's cost claim states that the Council acted unreasonably in the way that it determined the application by refusing the application on grounds that have no merit, applying policy tests that are more stringent than relevant policy advocates and being inconsistent with the Authority's other decisions.
5. The respective delegated reports by the Council and the subsequent appeal statements provide an analysis of the proposals giving reasoning for their decisions, highlighting the development plan policies relevant at the time. Although other local proposals have been approved and I have reached a different decision to the Council with regards to the enhancement of the immediate area and

accessibility of the location, the Council's case is clearly made and cannot be considered unreasonable.

6. Therefore, unreasonable behaviour, as described in the PPG, resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted in respect of both Appeal A and Appeal B.

K Allen

INSPECTOR