



Costs Decision

Site visit made on 11 November 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 November 2025

Costs application in relation to Appeal Ref: APP/Q1445/W/25/3370838 5 Grafton Street, Brighton BN2 1AQ

- 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 Tom Evans for a full award of costs against Brighton & Hove City Council.
 - The appeal was against the refusal of the Council to grant planning permission for the change of use from single dwellinghouse (C3) to a seven-bedroom large house in multiple occupation (*Sui Generis*).
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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 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 said that the Council's failure to undertake a site visit amounts to unreasonable behaviour and that if it had entered the lower ground floor level, it would have appreciated the size and open character of this space and understood the existing level of natural light, outlook, and layout that this space benefits from.
4. In my decision, which was informed by a site visit, I have reached a similar conclusion to the Council in respect of natural light and outlook. However, I found that the different layout of the kitchen when compared with the submitted drawings and the removal of the meter cupboard have resulted in a more usable space. Whilst the Council acknowledged that the location of furniture was indicative, I do not find it unreasonable for the Council to have considered the usability of the space by having regard to what was shown on the drawings that were submitted to it.
5. In addition, I have differed from the Council in terms of the amount of weight that I have attached to the overall quality of accommodation, including by taking account of the size of bedrooms. The amount of weight to be given to such judgements is a matter for the decision-maker and I have set out the reasons why my judgement differs from the Council's.

6. Taking all of these considerations into account, I do not find that unreasonable behaviour resulting in unnecessary or wasted expense has occurred. Therefore, an award of costs is not warranted.

P Burley

INSPECTOR