
Costs Decision

Site visit made on 7 January 2026

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th January 2026

Costs application in relation to Appeal Ref: APP/U1430/W/25/3372099

Downash Wood Treehouses, Tinkers Lane, Ticehurst, East Sussex TN5 7LU

- 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 and Mrs S Jones of Downash Wood Treehouses for an award of costs against Ticehurst Parish Council and Rother District Council.
 - The appeal was against the refusal of the District Council to grant planning permission for the is change of use of land to enable one additional lodge.
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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. The costs claim relates to the conduct of Ticehurst Parish Council (the Parish) and Rother District Council (the District). It is set out in the planning appeal procedure that I cannot accept audio or video evidence, and I therefore proceed on the basis of the written submissions alone.
4. The applicant contends that in March 2025 the Parish objected to the pertinent planning application without having discussed the matter in a public meeting. Another Parish meeting was held in April 2025, after which further objections were articulated. The applicant informs me that this was only after a letter from them, that it occurred at an extraordinary meeting, and that this was held on 19 April, rather than on an earlier date as the Parish suggests.
5. Even if all of that is so, and whatever circumstances led to the Parish objecting in March 2025, it ultimately discussed the application at a later meeting before confirming its position to the District, which itself did not make its decision until after 19 April. I do not see that the process followed by the Parish beforehand has any implications, therefore.
6. More pertinently, I am only able to award costs related to the appeal. The District refused the application having found conflict with adopted policies, and it is not evident that the views of the Parish were determinative in that; Indeed, I see no reason to feel that the District would have made a different decision, and the appellant spared the costs of the appeal, if the Parish had not objected at all.

7. Overall, I have been provided with little explanation as to why the actions of the Parish led the applicant to incur unnecessary or wasted expense in the appeal process, and see none for myself.
8. The appellant contends that the District, specifically in the form of its Planning Committee, failed to understand (firstly) the proposed development and (secondly) the correct application of policy.
9. A planning committee is entitled to take a different view to that recommended by its planning officers. On the first point, even if Council officers did have to remind Members that they could not see the Bewl Water from the site or adjoining field, and also that there was an intervening field and tree line, that information was nevertheless plainly provided during the decision-making process. I see no evidence therefore, that the decision was ultimately based on a misunderstanding of the application in those respects.
10. Indeed, the reason for refusal did not rely on, or state that there is, a direct line of sight between the water itself and the site. Instead, it stated that the development would harm the countryside and the High Weald National Landscape. Having reached much the same conclusion, I see no reason to find that decision unreasonable.
11. The second point relates to the inclusion of paragraph 4.14 of the Ticehurst Neighbourhood Plan in the reason for refusal of the application. The applicant has not set out why, even if that inclusion was an error on behalf of the District, it led them to incur unnecessary or wasted expense in the appeal process. Indeed, in my determination of the appeal I set out that excluding that paragraph from consideration does not lead to a different conclusion, as the scheme is contrary to the other policies cited in the decision notice in any event.
12. I see no evidence that the matters raised by the applicant led them to incur unnecessary or wasted expense in the appeal process.
13. An award of costs is not justified.

A Knight

INSPECTOR