
Costs Decision

Site Visit made on 29 October 2025

by Timothy C King BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2026

Appeal Ref: APP/U1430/W/25/3368831

Great Knelle Farm. Whitebread Lane, Beckley, TN31 6UB

- 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 Mrs Jennifer Farrant against the decision of Rother District Council for a full award of costs.
 - The appeal was against the Council's decision to refuse planning permission for a change of use of building from holiday let to residential dwelling.
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Decision

1. The application for an award of costs is refused.

Reasons

2. Paragraph 030 of the Planning Practice Guidance (PPG) advises that costs may be awarded where a party has behaved unreasonably and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. This costs application is made by the applicant on the basis that the appeal was unnecessary and only arose due to the actions of the Council. The claim is founded on two separate grounds. Firstly, she considers that, due to the earlier planning permission granted, the suitability of an alternative use of the building had already been accepted. Second, she says that although the Council had asked for the application's description of development to be changed, no additional reports were requested at this point nor, for that matter, at any time during the application process. Additional points are also raised; namely that 'detailed financial information' had been provided to support the application and, although other cases considered comparable with the current proposal were cited, the Council's decision to refuse planning permission showed an inconsistency of approach.
4. As regards whether or not the proposed use as a residential dwelling has already been assessed by the Council and considered acceptable in planning terms the development approved under permission RR/2020/1924/P was the '*change of use of a redundant agricultural building to holiday accommodation*'. Irrespective of my findings that the above planning permission has expired unimplemented – as explained in my appeal decision letter – the Council's Core Strategy policies CS RA3 and RA4, which are concerned with the conversion of traditional historic farm buildings say that, where there is a demonstrable lack of need for any such building, consideration will be given to non-agricultural commercial uses which would include workshops, offices or tourism related

uses. Accordingly, this will have likely influenced the decision to approve the holiday let. However, subsequent to the planning permission being granted in July 2021, the policy considerations changed with the adoption of the High Weald AONB Management Plan in March 2024. The implications of such are mentioned in the appeal decision letter, and yet the applicant has not addressed the related Dark Skies Advice Note. Indeed, no elevational or floor plans accompanied the application and, as such, no mitigation measures as to relevant advice within the said Management Plan were put forward.

5. I acknowledge the applicant's points regarding the Council's request that the proposal be reworded, yet the applicant agreed to such and, with this, reference to the proposed conditions imposed on permission was removed. My remit is purely to assess the scheme before me, as refused by the Council, and it is not for me to comment in any detail on the decision by the main parties to change the description.
6. That said, planning conditions are only imposed where the decision maker decides that, in order to make a use or development acceptable restrictions, considered both necessary and reasonable, are required. Given this and, moreover, the fact that an application proposing the change of use of the same building to a residential dwelling had already been refused in September 2020 (ref RR/2020/554/P) it is hardly conceivable that conditions 8, 9 and 10 imposed on permission ref RR/2020/1924/P - and which go to the heart of the approved change of use to a holiday let - would then be considered unnecessary by the Council and removed to effectively allow for an unrestricted residential occupation. This would explain the Council's approach to the application as first submitted.
7. It is not incumbent on the Council to request additional supporting information or reports to accompany the planning application. Whilst an absence of details might potentially invalidate an application it is essentially the applicant's/agent's responsibility to ensure that the submission, including all supporting documents, is complete and appropriate in the circumstances. Further, in the appeal decision letter, I have addressed the issue of viability and the importance of this being assessed by an independent valuer. Similarly, the decision letter also explains why I am satisfied that the Council has not, on the face of it, taken an inconsistent approach in reaching its decision. Each application for development has its own particular factors, circumstances and material considerations which should be assessed in the round, and this particular case is no different.
8. I am, therefore, clearly of the view that an appeal would always have ensued from this proposal and I must conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described by the PPG, has not been demonstrated. Accordingly, no award of costs is justified here.
9. The application is thereby refused.

Timothy C King

INSPECTOR