



Costs Decision

Site visit made on 9 February 2026

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2026

Costs application in relation to Appeal Ref: APP/C3810/C/25/3360505

27 North Ham Road, Littlehampton, West Sussex BN17 7AS

- The application is made under the Town and Country Planning Act 1990 (the Act), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Arun District Council for a full award of costs against Mr Reinhardt Slabbert (Patagonia Properties Ltd) .
 - The appeal was against an enforcement notice alleging: without planning permission and within the last ten (10) years, the material change of use of the Land from a dwellinghouse to a house in multiple occupation (HMO), contrary to the Article 4 direction (ref. 3/61/24).
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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 PPG sets out that awards against appellants 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. The Council seeks a full award of costs against the appellant, claiming that the appellant acted unreasonably by failing to submit a planning application that could be assessed against national and local policies, despite being invited a few times to do so. It is the Council's submission that had the appellant followed the Council's advice, enforcement action could have been avoided entirely. However, whilst it may have been helpful for a planning application to be submitted, ultimately this is discretionary. In accordance with section 172(1)(b) of the Act, it is for the Council to determine whether it would be expedient to issue the notice.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

P Terceiro

INSPECTOR