



Application for an award of appeal costs

You can use this form as a template if you wish to apply for costs in:-

- a written appeal
- an appeal going to a hearing or inquiry, but you wish to give advance notice of an application for costs
- an appeal which is withdrawn (or where the enforcement notice is withdrawn).

Notes to help you are in part D

A. Information about the claimant

Full name: [David Gregory Collins](#)

Address: [Simplicity](#)

..... [51A Old Fort Road](#)

..... [Shoreham-By-Sea, West Sussex,](#)

Postcode: [BN43 5RL](#) Your reference: [AWDM/0511/26](#)

Daytime telephone No: Fax no:

Email address:

Status (Appellant/Local Planning Authority/Interested Party):

.....

Agent's Name (if applicable):

Agent's Address:

.....

.....

Postcode: Reference:

Daytime telephone No: Fax no:

Email address:

Date Received (Official use)

B. Information about the party being claimed against

Full name: [Adur District Council](#)

Address: [Portland House](#)

[44 Richmond Road,](#)

[Worthing, West Sussex](#)

[BN11 1HS](#)

Postcode:

Status (Appellant/Local Planning Authority/Interested Party):

[Local Planning Authority](#)

C. Information about the appeal

Planning Inspectorate appeal reference number APP/[6013540](#)

(Please quote all appeal reference numbers if the costs application relates to more than one appeal)

Name of Local Planning Authority: [Adur District Council](#)

Description of the development: [The Construction of a Flood Barrier](#)

[to allow for the use of the Lower Ground Floor of 51A Old Fort Road as a flexible](#)

[habitable living space to include sleeping.](#)

Address of the site: [Simplicity, 51A Old Fort Road,](#)

[Shoreham-by-Sea, West Sussex](#)

[BN43 5RL](#)

D. Notes for guidance on your costs application – please read before going ahead

Appellants, local planning authorities and anyone else involved with the appeal (the parties) are normally expected to cover their own expenses. But anyone involved in the appeal can ask the Secretary of State or appointed Inspector to order that one party pays some or all of another party's costs. Before agreeing to this, we will have to be sure that:

- the person applying was put to unnecessary or wasted expense in the appeal
- because of the unreasonable behaviour of the other party.

An award can only be made if both these tests are met.

Please write (in section E) how you think the other party has acted unreasonably and what expense this has caused you. **Please note that only the unnecessary or wasted costs of the appeal itself can be recovered by an award.**

Before going ahead with an application, your attention is drawn to The National Planning Practice Guidance web-based resource, which contains advice on the award of costs, in the Appeals section.

While there is no formal procedure or application form for making an application for costs you can use the template (below) to make an application for costs in writing.

The decision on your application will not go into the actual amount of costs involved – only the principle and, if an award is made, what the award is broadly for. So there is no need to state the actual amounts you are seeking. If an award is made, the parties will need to settle the amounts involved between them by negotiation; or, if that fails, by applying to the Senior Courts Costs Office for an independent decision on the matter.

When using the costs application form, to give advance notice of a costs application in a hearing or inquiry case, please send a copy of your completed application to the other party.

Please also note there are time limits for making a costs Application depending on the procedure for deciding the appeal. The Award of Costs Guidance provides relevant information.

E. Your costs application

Please state whether you are applying for a full or partial award of costs and what you think is:

- the unreasonable behaviour which has caused you unnecessary or wasted expense in the appeal

1.0 INTRODUCTION

- 1.1 This formal application is submitted to request a full award of appeal costs against Adur District Council under the terms of the National Planning Practice Guidance (NPPG) relating to Appeals and Costs.
- 1.2 The Appellant submits that the local planning authority (LPA) have behaved unreasonably, causing the appellant incur the unnecessary expense of a formal planning appeal that should not have been required.

2.0 GROUNDS OF UNREASONABLE BEHAVIOUR

- 2.1 Factual and Mathematical Error: The LPA failed to properly assess the granular, site specific technical data submitted with the Appellant's professional flood risk assessment (FRA). The council applied generalised, broad - brush EA maps while completely ignoring the objective reality that the proposed finished floor levels and structural barriers (6.15m AOD) actively exceed the EA's worst-case safety threshold (5.86m AOD) by 290mm.
- 2.2 Inconsistent and Contradictory Decisions: Prior to determination, the council own independent flood risk consultants, WSP, explicitly reviewed, validated, and formerly signed off on the proposed permanent flood barrier mitigation measures. For the council to subsequently issue a flat refusal based on the alleged "Inefficacy" of those same structural defences constitute highly inconsistent, Contradictory and unreasonable administrative behaviour.
- 2.3 Failure to Seek Conditions: The NPPG states that the LPA should look to approve applications where possible by using planning conditions rather than issuing an outright refusal. If the council retained any lingering concerns regarding life safety, they could have easily resolved them by attaching a standard pre-occupation condition requiring a formal Flood Warning and Evacuation Plan (FWEP). Refusing a technically sound, over-specified scheme represents a clear failure to act in a constructive manner.

3.0 CONCLUSION & REMEDY SOUGHT

- 3.1 Due to the council's failure to properly evaluate technical evidence their contradictory stance on already approved flood barriers and their refusal to use planning conditions. The Appellant has been forced to incur significant professional costs to lodge this appeal,
- 3.2 The Planning Inspector is respectfully requested to make a full award of costs in favour of the Appellant. A fully itemised, quantified schedule of costs will be submitted to the council for payment upon determination of this award.

- your unnecessary or wasted expense in the appeal (not the amount, but the kind of expense)

Appeal Application and all associated costs

Appellants personal time spent preparing/compiling evidence and statements from the following Planning applications AWDM/1058/24, AWDM/1119/23, AWDM/1698/22 and AWDM/2007/21 to support both planning application AWDM/2007/21 and appeal.

Appellants Consultants costs

Please sign below

I understand that:

(a) use of this form is voluntary, and that the Planning Inspectorate may use the information I have given for official purposes in connection with the processing of my application for an award of costs;

(b) the costs decision resulting from processing my application will be published on the Planning Portal and will include relevant names but not addresses.

By signing this form I am agreeing to the above use of the information I have provided.

I have completed all sections of the form and confirm that details are correct to the best of my knowledge. (Please note: signature is not necessary for electronic submissions)

Signature

On behalf of

Name (in capitals) **DAVID GREGORY COLLINS**

Date **30/07/2026**

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our privacy notice.

See the link to the following page on GOV.UK

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Please note exceptions below but otherwise send this form and any supporting documents to:

Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

For the attention of your appeal case officer

Or e-mail it to the email address as shown on the letter(s) you have received from your appeal case officer.

Exceptions - please note:

(1) Householder Appeals Service (HAS) & Commercial Appeals Service (CAS)

Please ensure your costs application – if you wish to make one - is with your appeal form when submitting a HAS or CAS appeal. If you are submitting your costs application via the Planning Casework Service on the Planning Portal please attach it to the grounds of appeal as a separate document

If using the postal service please send your completed HAS/CAS appeal form along with your costs application to the address quoted on the appeal form.

(2) Tree Preservation Order (TPO) appeals

In the case of a written TPO appeal any application for costs should normally be made at the same time as the appeal. E-mail to: environment.appeals@pins.gsi.gov.uk