



Department for Levelling Up,
Housing & Communities

7 June 2022

Our ref: APP/B3600/A/21/3268579

Mr Grant Anderson
Hill Dickinson
50 Fountain Street
Manchester M2 2AS

Dear Sir

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEAL BY UKOG (234) LTD
AT LAND SOUTH OF DUNSFOLD ROAD AND EAST OF HIGH LOXLEY ROAD,
DUNSFOLD, SURREY
APPLICATION: REF WA/2019/0796**

APPLICATION FOR AN AWARD OF COSTS

1. I am directed by the Secretary of State to refer to the enclosed letter notifying his decision on the appeal as listed above.
2. This letter deals with your client's application for a partial award of costs against Surrey County Council. The application as submitted and Surrey County Council's response are recorded in the Inspector's Costs Report, a copy of which is enclosed.
3. In planning inquiries, the parties are normally expected to meet their own expenses, and costs are awarded only on grounds of unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process. The application for costs has been considered in the light of the Planning Practice Guidance, the Inspector's Costs Report, the parties' submissions on costs, the inquiry papers and all the relevant circumstances.

Phil Barber, Decision Officer
Planning Casework Unit
Department for Levelling Up, Housing & Communities
3rd Floor, Fry Building
2 Marsham Street
London, SW1P 4DF

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4. The Inspector's conclusions in respect to the partial costs application is stated at CR13-19. He recommended that your client's application for a partial award of costs be refused.
5. Having considered all the available evidence, and having particular regard to the Planning Practice Guidance, the Secretary of State agrees with the Inspector's conclusions in his report and accepts his recommendation. Accordingly, he has decided that a partial award of costs against Surrey County Council, on grounds of 'unreasonable behaviour', is not justified in the particular circumstances. The application is therefore refused.
6. This decision on your application for an award of costs can be challenged under section 288 of the Town and Country Planning Act 1990 if permission of the High Court is granted. The procedure to follow is identical to that for challenging the substantive decision on this case and any such application must be made within six weeks from the day after the date of the Costs decision.
7. A copy of this letter has been sent to Surrey County Council.

Yours faithfully,

Phil Barber

This decision was made by the Minister of State for Housing, Stuart Andrew MP, on behalf of the Secretary of State, and signed on his behalf