



Costs Decision

Site visit made on 9 May 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2024

Costs application in relation to Appeal Ref: APP/C3620/W/23/3335918 Coombers Minor, Partridge Lane, Newdigate, Surrey RH5 5EE

- 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 Dean and Julie Garvin for a full award of costs against Mole Valley District Council.
 - The appeal was against the refusal of planning permission for the erection of 1 no. dwelling following demolition of existing of non-agricultural buildings.
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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. In this instance, the applicant has set out that that Council has been inconsistent in its approach to the weight given to fallback positions where permitted development rights are involved. However, I have set out in my decision letter that I am of the view that the Council's change in approach on such matters is justified and that I am in agreement with the conclusions that they have reached.
4. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR