



Costs Decision

Site visit made on 21 July 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th August 2025

Costs application in relation to Appeal Ref: APP/R3650/W/25/3360758

Cedar Croft, Hale House Lane, Churt, Farnham, Surrey GU10 2JG

- 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 J Cheese for a full award of costs against Waverley Borough Council.
 - The appeal was against the refusal of planning permission for the construction of a replacement detached dwelling following the demolition of the existing detached dwelling and detached garage.
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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 applicant's claim for costs is on the basis that the Council has acted unreasonably by not giving due regard to the Design and Planning Statement (DPS) submitted with the application, including the very special circumstances put forward within the DPS.
4. The correct application of Green Belt policy requires, in the first instance, an assessment of whether the proposed development would amount to inappropriate development in the Green Belt. Therefore, notwithstanding the findings of the DPS in relation to this matter, it was not unreasonable that the Council carried out this assessment.
5. In response to the costs application, the Council has acknowledged that the officer report could have been clearer in explaining that the very special circumstances (VSC) put forward by the applicant were not sufficient to outweigh the harm to the Green Belt, by reason of inappropriateness, and any other harm. Nevertheless, Section 10 of the officer report addresses the Certificates of Lawfulness that have been granted, refers to the DPS in terms of floorspace calculations and provides a justification for not considering the arguments put forward by the applicant as valid very special circumstances.
6. As such, while not specifically mentioned within the reason for refusal, it is clear from the officer report that the Council considered the VSC put forward by the applicant and found that these were not sufficient to outweigh the identified harm to the Green Belt.

7. Thus, I find that the Council adequately set out the pertinent issues put forward by the applicant and has had due regard to the submitted evidence on its assessment.
8. Therefore, unreasonable behaviour as described in the PPG resulting in unnecessary or wasted expense has not been demonstrated. An award of costs is not justified.

P Terceiro

INSPECTOR