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## Costs Decision

Site visit made on 23 July 2025

**by Jennifer Wallace BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30 SEPTEMBER 2025**

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### **Costs Application A in relation to Appeal A Ref: APP/A3655/W/24/3357904**

#### **Hoe Bridge School, 224 Hoe Place, Old Woking Road, Woking, Surrey GU22 8JE**

- 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 Hoe Bridge School for a full award of costs against Woking Borough Council.
- The appeal was against the refusal of planning permission for construction of new two-storey Senior School building (Use Class F.1), reorganisation and resurfacing of existing parking area served by existing access to Old Woking Road, formation of entrance only access from White Rose Lane and associated works (amended description and amended plans and additional documents submitted August 2024).

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### **Costs Application B in relation to Appeal B Ref: APP/A3655/Y/24/3357905**

#### **Hoe Bridge School, 224 Hoe Place, Old Woking Road, Woking, Surrey GU22 8JE**

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 20, 89 and Schedule 3, and the Local Government Act 1972, section 250(5).
- The application is made by Hoe Bridge School for a full award of costs against Woking Borough Council.
- The appeal was against the refusal of listed building consent for the demolition of a section of brick wall in association with the development proposed under related planning application ref: PLAN/2022/1189 (for the Construction of new two-storey Senior School building (Use Class F.1), reorganisation and resurfacing of existing parking area served by existing access to Old Woking Road and associated works).

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## Decisions

1. Application A: The application for an award of costs is refused.
2. Application B: The application for an award of costs is refused.

## Preliminary Matters

3. There are two applications for costs, relating to each of the applications for planning permission and listed building consent. I have considered each application on its individual merits. However, to avoid duplication, I have dealt with the applications together, except where otherwise indicated.

## Reasons

4. 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.
5. The applicant set out their grounds for the award of costs in detail in their final comments. These seek an award of costs on substantive grounds that the decision to refuse the appeals has prevented or delayed development which should clearly be permitted, having regard to its accordance with the development plan, national

- policy or other material considerations. This is on the basis that the Council's case on appeal focusses on the Committee's reason for refusal and does not balance those reasons against the benefits of the scheme.
6. The Procedural Guide – Planning Appeals England (Procedural Guide) sets out at paragraph 12.3.1 that the Council's full statement of case should be a succinct statement supporting the reasons for opposing the development. It is also recommended that it should focus on areas of difference and should not repeat or duplicate the planning officer's report.
  7. The democratic nature of the planning system allows planning committees to reach a different conclusion to their officers. In doing so, it is to be expected that the committee have full knowledge of the manner in which they are to take that decision.
  8. I have been provided with a copy of the Committee minutes recording the debate around the application for planning permission. This focussed on the areas that were of concern to the Committee and informed the eventual reason for refusal. It is therefore reasonable to assume that the Committee did not disagree with their officer's recommendation with respect to the other issues addressed in that report. However, from the decision to refuse the application, it is implicit that the harms were considered to outweigh the benefits of the scheme. In those circumstances, it was only logical that the application for listed building consent was refused.
  9. The Council's appeal statement expanded on the reasons for refusal. These were the areas of difference between the parties. Given the advice in the Procedural Guide and the inherent conclusions in the decision to refuse the applications, it was not necessary for any further balance to be carried out in that statement.

### **Conclusion**

10. I therefore find that for both Application A and Application B unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

*Jennifer Wallace*

INSPECTOR