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## Costs Decision

Site visit made on 18 August 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3<sup>rd</sup> October 2025

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### **Costs application in relation to Appeal Ref: APP/A3655/W/25/3363060**

#### **Milestones, Pyrford Road, Woking, Surrey GU22 8UP**

- 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 K Parmar for a full award of costs against Woking Borough Council.
  - The appeal was against the refusal of planning permission for alterations to existing HMO, changing from 9 occupancy to 10 occupancy.
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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. The PPG states that awards may be either procedural in regard to behaviour in relation to completing the appeal process or substantive, which relates to the planning merits of the appeal.
3. This application is made on both procedural and substantive grounds. The applicant claims that the Council acted unreasonably in the way that it determined the application, including through its failure to make a timely decision; failure to communicate; failure to take into account professional advice; and unreasonable refusal of the application.
4. I note the extended length of the application process. Although this is unfortunate, there is no evidence before me to suggest that the application would have had a different outcome, had it been determined within the statutory timeframe. Additionally, the PPG makes it clear that costs cannot be claimed for the period of time during the determination of the planning application.
5. The applicant asserts that the Council has failed to respond to their follow-up emails and telephone calls. The Council advises that it exchange correspondence with the applicant and provided an update on when a decision could be expected. I have not been provided with copies of any correspondence. Nevertheless, while I understand the applicant's frustrations with the planning process, there is no indication that a minor amendment or any clarification of information would have made the proposal acceptable to the Council.

6. The County Highway Authority, Environmental Health, and Housing Standards teams provided a response to the application, indicating that they raised no objection to the proposed scheme. Their responses were acknowledged in the Officer report. While consultee input can be valuable in informing a Council's decision, particularly on specialist matters, the decision maker retains the discretion to adopt an alternative view. In this context, the Council's decision to diverge from the consultee's position falls within its remit.
7. The Council has provided a clear justification for its findings within the Officer report, and there is limited evidence to suggest that the matters in dispute could successfully be addressed through the use of planning conditions. Moreover, the reasons for refusal were founded in planning policy and satisfactory substantiated.
8. For the above reasons, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

*P Terceiro*

INSPECTOR