
Costs Decision

Site visit made on 24 September 2025

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 OCTOBER 2025

Costs application in relation to Appeal Ref: APP/R3650/X/24/3352414

2 Fir Cottage, Portsmouth Road, Milford, Godalming, GU8 5DY

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Donna Holmes for a full award of costs against Waverley Borough Council.
 - The appeal was against the refusal of a certificate of lawful use or development for a vehicle crossover (dropped kerb).
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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 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. Unreasonable behaviour in the context of an application for an award of costs may be either: procedural – relating to the process; or substantive – relating to the issues arising from the merits of the appeal.
3. The appellant contends that the local planning authority (LPA) has acted unreasonably in so far that they have not substantiated why it considers that the proposal is development, and that planning permission is required for it.
4. I am satisfied that as part of the appeal, the LPA sufficiently justified why it considered that the proposal amounted to operational development, why it was not excluded by section 55(2)(b) of the Town and Country Planning Act 1990 (as amended), and why it was not permitted development given the limitations of Class B of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

5. For the above reasons, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

D Hartley

INSPECTOR