



Costs Decision

Site visit made on 18 September 2025

by **C Shearing BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Costs application in relation to Appeal Ref: APP/Q3630/W/25/3366700 Weybridge Business Park, Addlestone Road, Addlestone, Surrey KT15 2UP

- 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 Bridge UK Properties 7 LP for a full award of costs against Runnymede Borough Council.
 - The appeal was against the refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
-

Decision

1. The application for an award of costs is allowed in the terms set out below.

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 applicant asserts that the Council behaved unreasonably during the process, and refers specifically to several examples of unreasonable behaviour cited in the PPG.
3. The Council's decision, taken by the Planning Committee, went against the Officer's recommendation. Nonetheless, Members are entitled to reach a contrary view. This is a fundamental principle of local decision making and does not therefore amount to unreasonable behaviour. Given the complexities of the noise issues here, arising from the nature of the proposal and the proximity of residential properties, neither do I consider this to be a development which should necessarily have *clearly* been permitted.
4. While the Inspector of the earlier appeal reached a conclusion on the effects of that scheme on noise and disturbance, there were important differences between the two schemes. As such, that Inspector did not previously indicate that this scheme was acceptable. This comparison was the subject of a subsequent assessment by an acoustic specialist, who compared the two schemes and advised the Council of the implications of the Inspector's findings. Given the differences between the schemes, unreasonable behaviour by persisting in objections to elements of a scheme which an Inspector has previously indicated to be acceptable, did not occur.
5. Despite these findings, the Officer's Report repeatedly highlighted Policy EE2 to be the most relevant to the determination of the application. The policy is clear in

its opening line that any report or assessment required by that policy will be expected to be written in line with best practice guidance or advice. Based on the information before me, the Committee did not dispute that the technical documents before them adhered to that best practice. The conclusions of the Council's technical consultees, including the Environmental Health Officer and acoustic specialist employed by the Council were also not disputed. Instead, conflict was found with Policy EE2 in referring to more generalised concerns which the Committee minutes report to include upsetting a balance between residents and businesses, concerns with monitoring noise disturbance, and spread of noise beyond the surrounding area. While valid concerns exist for potential worst-case scenarios, these extend beyond what is reasonable, particularly given the technical evidence was compelling and already had regard to worst-case scenarios. The Council's assertions were not supported by any contrary assessments, or substantive reasons to draw the findings of the technical evidence into doubt. Accordingly, the conflict with Policy EE2 was not substantiated.

6. For these reasons, vague, generalised and inaccurate assertions about the proposal's impact occurred, which were not supported by objective analysis. This is one of the examples of unreasonable behaviour given by the PPG and, in turn, this led to the retention of a condition which did not comply with the relevant tests set out in the National Planning Policy Framework.
7. This unreasonable behaviour ultimately resulted in the need for the appeal and caused the applicant to incur unnecessary or wasted expense in the appeal process. Both parts of the test set out in the PPG have therefore been met and the application for costs is allowed.

Costs Order

8. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Runnymede Borough Council shall pay to Bridge UK Properties 7 LP, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
9. The applicant is now invited to submit to Runnymede Borough Council to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

C Shearing

INSPECTOR