



Costs Decision

Site visit made on 1 October 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

**Costs application in relation to Appeal Ref: APP/C3620/D/25/3370246
19 Quarry Gardens, Leatherhead, Surrey KT22 8UE**

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr H Hassan for a full award of costs against Mole Valley District Council.
 - The appeal was against the refusal of planning permission under section 78 of the Town and Country Planning Act 1990 for use of existing garage for purposes ancillary to host dwelling.
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Decision

1. The application for a full award of costs is refused.

Reasons

2. 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.
3. The Applicant asserts that the Council's reason for refusal was not substantiated by evidence and considered appropriately in the Officer's report. Whilst I agree that the Officer's report was not clearly laid out and matters addressed in a particularly helpful matter, the reasons for refusal are clearly expressed and cross referenced to policy. From my site visit, I am satisfied that the reason for refusal correctly identified the issue to be addressed. Whilst I have come to a different conclusion, I do not consider that the Council acted unreasonably in this respect.
4. The Applicant further considers that the Council did not take proper account of the available parking for the appeal property. It is disappointing that the matter was not explored and clarified during the application process, but most of the information provided which has enabled me to reach my decision was provided at the appeal stage, albeit in response to the reason for refusal. It does not appear that all the relevant information was available to the Council at the application stage.
5. Taking into account all matters raised, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

L J Evans

INSPECTOR