



Costs Decision

Site visit made on 23 October 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Costs application in relation to Appeal Ref: APP/M3645/W/25/3370123

Land at Rowlands Farm, Newchapel Road, Lingfield, Surrey RH7 6BJ

- 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 Ricky Gache for a full award of costs against Tandridge District Council.
 - The appeal was against the refusal to grant permission in principle for erection of 9 dwellings following demolition of existing stables and removal of sand school.
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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.
3. The appellant is seeking a full award of costs. The premise of the cost application is linked to the case presented for the appeal including in relation to the Council's inability to demonstrate a five year housing land supply. The appellant is of the view that the Council acted unreasonably, partially on the basis that the Council did not provide a reason for attaching moderate weight to the benefits of the proposed housing.
4. However, in my main decision, I too have attributed moderate weight to the benefits associated with the proposal. The appeal decisions referred to where the Inspectors attached significant or substantial weight to housing delivery¹ were for 29 dwellings and 270 dwellings respectively and are therefore not directly comparable to the appeal scheme.
5. The Council's officer report was clear to the weight which it attached to the benefits of the proposal against the harm to the development plan. Despite the fact that I have reached a different conclusion to the Council in my main decision, the Council was entitled to reach the view that the harm it attributed to the proposal significantly and demonstrably outweighed the benefits in its assessment of the application, based on the policies within the development plan. This does not represent unreasonable behaviour.

¹ APP/M3645/W/24/3352066 and APP/M3645/W/24/3355743

Conclusion

6. In view of the above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, an award of costs is not justified against the Council.

L Gardner

INSPECTOR