



Costs Decision

Site visit made on 13 January 2026

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2026

Costs application in relation to Appeal Ref: APP/M3645/W/25/3374877

Parast, Broadbridge Lane, Smallfield, Surrey RH6 9RD

- 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 Matthew Langley for a full award of costs against Tandridge District Council.
 - The appeal was against the refusal to grant permission in principle for the erection of up to 9 dwellings.
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Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals are normally expected to meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has acted unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense during the appeal process.
3. The PPG provides examples of unreasonable behaviour, including: (i) preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations; and (ii) making vague, generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis, as well as failing to determine similar cases in a consistent manner.
4. The application for costs is founded on the assertion that the Council acted unreasonably by maintaining that the harm arising from the proposal's locational sustainability significantly and demonstrably outweighs its benefits. However, this misrepresents the Council's position. The Council clearly explained that the proposal constitutes inappropriate development within the Green Belt.
5. While the applicant considers that the proposal meets the exception set out at paragraph 155 of the National Planning Policy Framework, neither the Council nor I have agreed with this conclusion. This difference in judgement does not amount to unreasonable behaviour. The Council was entitled to defend its position, provided it substantiated its reasoning with relevant evidence and correctly applied the policy framework, which it did.
6. The applicant refers to points (i)- (ix) within the application for costs. Aside from points identifying a lack of harm, which would be neutral in the overall assessment, these considerations have been considered within the planning balance. It is the

difference in judgment as to whether the proposal would be inappropriate development that has been determinative in this appeal. However, the Council's position in this respect was reasonable. The refusal of planning permission was grounded in relevant development plan policies. Whilst the applicant disagrees with the outcome, the decision was reasonable. I therefore find that the Council's conduct does not constitute unreasonable behaviour as defined within the Planning Practice Guidance. As such, an award of costs is not justified.

V Goldberg

INSPECTOR