



Costs Decision

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Costs application in relation to Appeal Ref: APP/D3640/X/25/3358430

3 Ford Road, Bisley, Woking GU24 9EJ

- 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 Mr Peter Mather for a full award of costs against Surrey Heath Borough Council.
 - The appeal was against the refusal of an LDC for single storey outbuilding to be used as a gym, study and plant room.
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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. Comparison of the proposed outbuilding with other similar developments that have been granted LDCs is not a relevant matter; whether a development would be permitted under the GDPO is, in every case, a matter of fact and degree. The Council considered the evidence submitted in support of the application and it was not unreasonable for their Officers to conclude, in exercising their planning judgement, that the proposed outbuilding is not development permitted under Class E of Part 1 of Schedule 2 of the GPDO. The Council has not acted unreasonably and the Appellant has not incurred wasted expense. An award of costs is not justified.

John Braithwaite

Inspector