
Costs Decision

Site visit made on 8 December 2016

by D A Hainsworth LL.B(Hons) FRSA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 December 2016

Costs application relating to Appeal Ref: APP/F5540/C/16/3148829 88 Byron Avenue, Cranford TW4 6LY

- The application is made by Tarlock Singh Ahuja under the Town and Country Planning Act 1990, sections 174 and 322 and Schedule 6, and the Local Government Act 1972, section 250(5), for a full award of costs against the Council of the London Borough of Hounslow.
 - The appeal was against an enforcement notice alleging the use of an outbuilding as a non-incidental and self-contained residential unit.
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Costs decision

1. The application is refused.

Reasons for the costs decision

2. The Government's Planning Policy Guidance ("the Guidance") indicates that the parties to an appeal are expected to behave reasonably to support an efficient and timely process and that where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, the party may be subject to an award of costs.
3. The application is based on the same arguments that were put forward in the grounds of appeal. These and other statements made by the appellant were inconsistent with each other and were not adequately supported by the documentary and other evidence that was available. I concluded in the appeal that the appellant's case had not been made out.
4. The Council's case was supported by a site inspection record, photographs, Council Tax records and an analysis of shortcomings in the appellant's case. The Council were able to demonstrate that their handling of the case was in accordance with established procedures relating to planning enforcement.
5. The applicant has failed to demonstrate that the Council have behaved in any way that is contrary to the standards outlined in paragraph 2 above. I have therefore found that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated and that an award of costs is not justified.

D.A.Hainsworth

INSPECTOR
