

Costs Decision

Site visit made on 17 January 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 1 February 2017

Costs application in relation to Appeal Ref: APP/ C5690/D/16/3162236 13 Bolden Street, LEWISHAM, LONDON, SE8 4JF

- 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 Mrs Mary-Clare Alford for a full award of costs against the Council of the London Borough of Lewisham.
 - The appeal was against the refusal of planning permission for the construction of a loft conversion using a front and rear mansard roof extension, to provide additional residential accommodation
-

Decision

1. The application for an 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 assessment of the proposal related to matters of judgement, and the Council's decision was supported by a sufficiently reasoned analysis having regard to current national and local planning policies. There is limited information in the appeal submissions regarding the permissions which resulted in other mansard roofs in the vicinity being built. However, the Council's evidence suggests that it has not granted such developments throughout the conservation area, and determines proposals on a site-specific basis. In this context, it was not unreasonable or inconsistent for the Council to have reached its decision given the lack of comparable examples in Bolden Street itself.
4. An appeal statement was not submitted by the Council in accordance with the Householder Appeal Service procedure, but the Council clearly conveyed its objections to the appeal development through its officer report.
5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

H Lock

INSPECTOR