
Costs Decision

Site visit made on 31 October 2017

by Mrs J Wilson BA BTP MRTPI DMS

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

Decision date: 21st November 2017

Costs application in relation to Appeal Ref: APP/P1940/D/17/3180984 90 Roman Gardens, Kings Langley, Hertfordshire, WD4 8LP

- 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 Miss Christine Evans for a partial award of costs against Three Rivers District Council.
 - The appeal was against the refusal of planning permission for a first floor level extension with retained space at ground floor level and internal alterations.
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Decision

1. The application for a partial award of costs is refused.

Reasons

2. Planning Practice Guidance (PPG) advises that irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary expense in the appeal process.
3. The Council identified parking to be a concern due to the size and configuration of the parking space to serve the extended dwelling. It also outlined legitimate concerns with regard to a deficiency in the number of spaces against local parking standards.
4. The applicant refers to similar arrangements for parking in the vicinity and I saw these on my visit. However, whilst a lack of consistency in the application of the parking standards has been highlighted, each of these cases was no doubt assessed on its own merits by the Council. Moreover, I have not been provided with the full circumstances relating to the cases and properties cited. This approach does not in itself constitute unreasonable behaviour. Reference was made to the matters on which the refusal was based and the Council articulated its reason for refusal and the policy basis for it. Therefore the Council did not act unreasonably in reaching its decision.
5. I therefore find that unreasonable behaviour has not been demonstrated and no unnecessary or wasted expense, as described in the PPG, has been caused to justify a partial award of costs.

Janet Wilson

INSPECTOR