



Costs Decision

Site visit made on 5 November 2019

by Julia Gregory BSc(Hons) BTP MRTPI MCMI

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

Decision date: 06 December 2019

Costs application in relation to Appeal Ref: APP/L5240/W/19/3235477 16 and 18 Lawrence Road, London SE25 5AA

- 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 Dickinson and Mr McGuire for a full award of costs against the Council of the London Borough of Croydon.
 - The appeal was against the refusal of planning permission for demolition of existing garages and erection of side and rear extensions to create 6 additional bedrooms to an existing HMO at No 16 and 18 Lawrence Road (amended description) without complying with a condition attached to planning permission Ref 18/03858/FUL, dated 21 January 2019.
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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. As the application and response have been made in writing I shall not repeat them in any detail. The essence of the costs claims is that the appellant considers that the Council was wrong to refuse planning permission.
4. I have dismissed the appeal and therefore it follows that I consider that the decision to refuse planning permission was justified on the evidence. I have sympathy with the appellants in respect of the adequacy of the reason for imposing the condition, which could have been fuller.
5. Nonetheless, on any fair reading of the Delegated Business Meeting Report dated week of 21 January 2019, the Council showed why it was necessary to impose the condition in the first instance. Furthermore, the reason for refusing the appeal proposal was firmly based on the material planning considerations given in that report and the development plan policies quoted were relevant.
6. I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated and that a full award of costs is not justified.

Julia Gregory

Inspector