



Costs Decision

Site visit made on 25 November 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2019

Costs application in relation to Appeal Ref: APP/N5090/C/19/3224807 24 Holders Hill Drive, London NW4 1NJ

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Michael Evers for a full award of costs against the Council of the London Borough of Barnet.
 - The appeal was against an enforcement notice alleging the development of a single storey extension.
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Decision

1. The application for an award of costs is dismissed.

Reasons

2. Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may be awarded where a party has behaved unreasonably, and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. It is the appellant's case that in the event that the ground (b) is successful, then a full award of costs should be made against the Council. It will be seen by my decision that the appeal on ground (b) has not succeeded.
4. Accordingly, it follows that I cannot agree that the Council has acted unreasonably, and that their decision to issue an enforcement notice has caused any party to incur unnecessary or wasted expense in the appeal process.

Conclusion

5. I therefore conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Planning Practice Guidance, has not been demonstrated in this instance. Accordingly, I refuse the application for an award of costs against the Council.

Hilary Orr

INSPECTOR