



Costs Decision

Site visit made on 8 January 2020

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2020

Costs application in relation to Appeal Ref: APP/B5480/D/19/3242073 96 The Drive, Collier Row, Romford RM5 3UH

- 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 Paul Clifford for a full award of costs against the Council of the London Borough of Havering.
 - The appeal was against the refusal of planning permission for rear extension and front porch and side extension with WC shower.
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Decision

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

Reasons

2. The National Planning Practice Guidance advises that costs may only be awarded where a party has behaved unreasonably. Although the appellant's application for an award of costs draws attention to the expense incurred as a result of going through the appeal process, no specific examples of unreasonable behaviour have been referenced.
3. I recognise that pre-application advice was sought which indicated that the proposal may be acceptable. However, advice of this nature is informal and the Council are not bound by this. The officer's report provides detailed reasons why the proposed development was considered to be in conflict with planning policies and hence the reasons for refusal were clearly substantiated with planning evidence. Although I allowed the subsequent appeal, the issue of character and appearance is largely a matter of planning judgement which the Council are fully entitled to take their own view on.
4. Overall, I consider that the Council has justified their actions and hence acted reasonably. I therefore conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

Colin Cresswell

INSPECTOR