
Costs Decision

Site visit made on 5 February 2020

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Costs application in relation to Appeal Ref: APP/T5150/D/19/3236209 33 Park Chase, Wembley HA9 8EQ

- 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 Zeeshan Habib for a full award of costs against the Council of the London Borough of Brent.
 - The appeal was against the refusal of planning permission for the erection of a single storey rear extension.
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Decision

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

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 applicant contended that the Council has relied on vague and generalised assertions, but from what was presented I understood and appreciated the nature of the Council's concerns. I am of the view that these concerns were reasonable, and they have been suitably substantiated in its submissions. The acceptability of the development is a matter of planning judgement and, whilst I have come to different conclusions to those of the Council, I nonetheless consider that, on the case presented, it did not act unreasonably in arriving at its decision.

Conclusions

4. Accordingly, I conclude that unreasonable actions leading to unnecessary expense has not been demonstrated, and so the costs application is refused.

JP Sargent

INSPECTOR