The Planning Inspectorate

Costs Decision

Site visit made on 8 October 2019

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2020

Costs application in relation to Appeal Ref: APP/T5150/W/19/3232591
456A High Road, Wembley HA9 7AY

- 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 Ms Rana Ahmed 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 'part first floor rear extension'.

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. The appellant states that the appeal was unnecessary as the Council have acted unreasonably through a lack of cooperation during the course of the planning application and by suggesting that the application was going to be approved.

3. Limited details of discourse between the parties has been provided. From the information before me, I do not consider that the information submitted as part of this costs application demonstrates a lack of co-operation on the part of the Council. Whilst I have allowed the appeal subject to a condition requiring details of the flue and associated attenuation, I consider on balance that the decision was appropriately reached on the basis of the planning merits of the proposal as submitted, that lacked such details.

Conclusion

4. For the reasons outlined above, I therefore conclude that unreasonable behaviour, resulting in unnecessary or wasted expense, as described in Planning Practice Guidance, has not been demonstrated. Consequently, an award of costs is not justified.

Robert Lankshear

INSPECTOR