
Costs Decision

Site visit made on 17 February 2020

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 2 March 2020

Costs application in relation to Appeal Ref: APP/Y1945/D/19/3242004 34 The Thrums, Watford WD24 6DJ

- 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 and Mrs Khan for a full award of costs against Watford Borough Council.
 - The appeal was against the refusal of planning permission for a first floor rear extension.
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Decision

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

The appellants' application for Costs

2. The appellants' application for costs raises 2 specific issue, namely; that the Council failed to take account of correspondence submitted with the application and secondly that they have altered the officer's report after the decision was made.

Reasons

3. The national Planning Practice Guidance (PPG) states that parties will normally be expected to meet their own costs in relation to appeals and costs may only 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.
4. In relation to the consideration of the letter submitted with the application, the Council accepts that it was not considered by the case officer when preparing the report. However, the Council state that, even if the contents of the letter had been read and taken into account, the decision on the planning application would have been the same. From what I have read in the submitted documents, I find nothing to indicate to me that the contents of the letter would have resulted in a different decision from the Council. Therefore, it seems to me that the appellant would have had to submit an appeal in any event and so has not been put to additional and wasted expense in this respect.
5. In relation to the allegation that the report was altered at some later date, the Council states that this is not the case. They indicate that their document management system indicates that the report was not subsequently altered.

The appellant has no documentary evidence to substantiate the allegation and, in these circumstances, I accept what the Council have said.

6. As a consequence, I conclude that the Council's actions have not been unreasonable and the appellant has not been involved in any unnecessary or wasted expense. Therefore, the conditions necessary for an award of costs have not been satisfied.

S T Wood

INSPECTOR