



Costs Decision

Site visit made on 25 February 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 11 May 2020

Costs application in relation to Appeal Ref: APP/F5540/W/19/3242790 259 High Street, Hounslow, TW3 1EA

- 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 S Pervez for a full award of costs against the Council of the London Borough of Hounslow.
 - The appeal was against the refusal of planning permission for erection of a part first and second floor rear extension and hip to gable with rear roof extension to allow for the creation of two self-contained flats.
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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.
3. The appellant submits that the Council has acted unreasonably and therefore caused the appellant to incur unnecessary expense. Reasons given are manifold, but the nub of the appellant's case is that the Council failed to assess the proposal correctly.
4. I have carefully considered the arguments put to me by the appellant relating to, amongst other things, the Council's assessment of the built context of the site, the impact of the proposal, the consideration of the fallback position, the assessment of living conditions, and failure to give detailed or adequate reasons for refusal. However, I find these criticisms to be unfounded. Sufficient analysis is provided by the Council to demonstrate that all relevant factors were taken into account. Although I have come to a different decision to the Council, this is because matters of character and appearance are necessarily subjective and a matter of judgment. Although the appellant criticises the Council's approach to living conditions, I appreciate that this was motivated by the desire to achieve a high quality of accommodation for future occupiers. This does not constitute unreasonable behaviour on the Council's part.
5. No further information is provided to substantiate the claim that the appellant's case was not reviewed promptly following submission of the appeal, so I have not considered this further.

6. In light of the above I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Planning Practice Guidance, has not been demonstrated. The award for costs is therefore not justified.

B Davies

INSPECTOR