
Costs Decisions

Site visit made on 11 April 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 April 2021

Appeal A: Costs application in relation to APP/K5600/W/20/3255781 15 Wellington Square, London SW3 4NW

- 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 Spiller for a full award of costs against The Council of The Royal Borough of Kensington and Chelsea.
 - The appeal was against a refusal of the local planning authority to grant planning permission for development described as refurbishment of 15 Wellington Square and the redevelopment of the rear closet wing and courtyard.
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Appeal B: Costs application in relation to APP/K5600/Y/20/3257020 15 Wellington Square, London SW3 4NW

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), sections 20, 89 and Schedule 3, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Spiller for a full award of costs against The Council of The Royal Borough of Kensington and Chelsea.
 - The appeal was against a refusal of the local planning authority to grant listed building consent for works described as refurbishment of 15 Wellington Square and the redevelopment of the rear closet wing and courtyard.
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Decisions

1. The application for an award of costs in relation to Appeal A is dismissed.
2. The application for an award of costs in relation to Appeal B is dismissed.

Reasons

3. 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.
4. The applicant claims that the Council acted unreasonably in relation to both Appeals. However, the applicant has not specified any grounds upon which such alleged unreasonable conduct is to be judged, or indeed provided any further explanation. It is not for me to identify or assume the grounds upon which the applicant's claims are being made. Thus, in the absence of information, they must ultimately fail.
5. Insofar as the applicant has otherwise indicated that the Council should cover the cost of making new applications, such costs are not in any case eligible for an award of costs, as they do not relate to the Appeals.

Conclusions

6. For the reasons set out above, I find that the applicant's claim for an award of costs in relation to both Appeal A and Appeal B should be dismissed.

Benjamin Webb

INSPECTOR