The Planning Inspectorate

Costs Decision

Site visit made on 24 June 2021

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021.

Costs application in relation to APP/Y5420/W/20/3261354
263 Mount Pleasant Road, Tottenham, London N17 6HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The application is made by Mr Schriber for a full award of costs against the London Borough of Haringey.
- The appeal was against the refusal of planning permission for the retention of a rear roof dormer on top of the main house.

Decision

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

Reasons

3. The Planning Practice Guidance (PPG) 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 alleges that the local planning authority (LPA) behaved unreasonably because it failed to accurately assess the proposed development by concentrating on the dormer above the outrigger and which is not the subject of the appeal. I appreciate that the LPA is critical of some aspects of the dormer over the outrigger, but I consider that it did so in the context of considering the additional impact of the dormer upon the main roof slope.

5. While I have allowed the appeal, I am satisfied that the LPA did not unreasonably prevent a development that should have been granted, nor did it make a flawed assessment or fail to substantiate its reason for refusal. As such, the appellant did not incur unnecessary or wasted expense in pursuing the appeal arising from any unreasonable behaviour.

Conclusion

6. For the above reasons, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, a full award of costs is not justified.

Steven Hartley

INSPECTOR