



Costs Decision

Site visit made on 1 February 2022

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2022

Costs application in relation to Appeal Ref: APP/R5510/D/21/3280848 3 Highfield Drive, Ickenham, Uxbridge, UB10 8AL

- 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 Mrs S Farzana for a full award of costs against the London Borough of Hillingdon Council.
 - The appeal was against the refusal of planning permission for 2 storey front extension.
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Decision

1. The award of costs is dismissed.

Reasons

2. Paragraph 30 of the national Planning Practice Guidance (the PPG) advises that, irrespective of the outcome of the appeal, costs may be awarded where a party has behaved unreasonably, and that unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. The Applicant submits that the Council has acted unreasonably by failing to be consistent in its assessment of the proposal with particular reference to an appeal decision and a Council delegated decision at a neighbouring dwelling that was granted planning permission. The Applicant considers the same circumstances apply to their specific proposal for a front extension. As a consequence of refusing planning permission, they explain this has led to unreasonable delay.
4. The Council may have considered the proposal to extend the 'entire width of the front of the dwelling' as explained within their Delegated Report. However, although this is not precisely demonstrated on the submitted plans, I do not consider that this has compromised their decision making. They have considered the scale and mass of the proposal to detrimentally impact upon the character of the host dwelling and therefore harm the character and appearance of the street scene.
5. Hillingdon Local Plan Policy DMHD 1 relates to household development and specifically seeks to allow front extensions provided they are minor and not alter the overall appearance of the house or dominate the character of the street scene. The Inspector took the view that the extension to 35 Highfield Drive would accord with this policy. This was considered in the context of its impact on the host dwelling and character and appearance of the street scene.

The Inspector based their decision on the individual merits of the scheme. Likewise, the evidence before me leads me to no other conclusion that the Council have reached a balanced decision which has been well reasoned within the Delegated Report.

6. On this basis, I cannot agree with the Appellant that the Council have acted unreasonably by unnecessarily preventing planning permission from being granted.
7. To this end, none of the types of behaviour which may give rise to a substantive award under the PPG have been established, based on the above. I conclude that no unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated.

Alison Scott

INSPECTOR