

Costs Decision

Site visit made on 5 April 2022 by Max Webb BA(Hons)

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2022

**Costs application in relation to Appeal Ref: APP/E5330/D/21/3285468
262 Burrage Road, Plumstead Common SE18 7JP**

- 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 Ms Marcia Olasemo for a full award of costs against the Council of the Royal Borough of Greenwich.
 - The appeal was against the refusal of planning permission for removal of two existing sheds and retention of an outbuilding.
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Decision

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

Procedure

2. An Appeal Planning Officer has set out the recommendation below, to which the Inspector has had regard before deciding the application.

Reasons

3. The Planning Practice Guidance advises that, irrespective of the outcome of the appeal, 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. Unreasonable behaviour has been raised due to the length of time taken for the Council to issue a decision with regards to a planning application for a garden shed.
5. Whilst the determination of the application took a significant period of time, there is nothing before me to suggest the Council would have reached a different conclusion had they issued a decision sooner. An appeal would have been necessary based upon the Council's assessment of the development. The applicant would still have been required to prepare an appeal statement and other documents required for an appeal, and therefore incurred these costs, even if the Council had determined the application sooner.
6. The Council has set out in detail the reasoning behind its assessment of the development and has referenced relevant local policy. Therefore, regardless of the outcome of the appeal, its reason for refusal is not considered unreasonable.

Conclusion

7. With the above in mind, I find that the Council has not caused the applicant to incur unnecessary or wasted expense in the appeal process. A claim for costs is

thus not justified and accordingly it is hereby recommended that the application for costs be refused.

Max Webb

Appeal Planning Officer

Inspector's Decision

8. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the application for an award of costs is refused.

Zoe Raygen

INSPECTOR