



Costs Decisions

Site visit made on 5 September 2022

by Nichola Robinson BA (hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 October 2022

Costs application in relation to Appeal Ref: APP/A5270/W/22/3294236 182A Northfield Avenue, West Ealing W13 9SB

- 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 Nancy Jones for a full award of costs against Mr Raj Gupta.
 - The appeal was against the refusal of planning permission for a rear dormer and extension over rear outrigger and front rooflights to create a new studio flat at roof level.
-

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 therefore caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. Unreasonable behaviour may be procedural and/or substantive.
3. In this instance, the applicant, a neighbour, refers to disturbance caused during construction, harm to living conditions and an anticipated reduction in the value of her home as a consequence of the appeal proposal and previous planning permissions at the appeal property. The costs claim references the impact existing works have had on her and her property.
4. The issues raised by the complainant appear to relate to concerns regarding the implementation of existing consents and objections to the appeal proposal. They do not appear to relate to unreasonable behaviour in the appeal process. Moreover, there is no substantive evidence of wasted expense by the neighbour.
5. Therefore, the application for an award of costs is refused.

Nichola Robinson

INSPECTOR