
Costs Decision

Site visit made on 16 August 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2022

Costs application in relation to Appeal Ref: APP/R5510/W/22/3300359

67 Bishops Road, Hillingdon, Hayes UB3 2TF

- 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 Vipul Patel for a full award of costs against the Council of the London Borough of Hillingdon.
- The appeal was against the refusal of planning permission for the demolition of garage and erection of a detached 2 storey 1 bed 2 person dwellinghouse with associated amenity spaces, vehicular parking and new crossover, bicycle and bin stores on land adjacent to 67 Bishops Road.

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 thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. It is the appellants case that the appeal was entirely avoidable and that the Reason for Refusal, regarding the provision of off street car parking, "does not stand up to scrutiny" and has not determined the appeal in accordance with the Policies of the Development Plan.
4. The Council's reason for refusal, as detailed in the decision notice, is complete, precise, specific and relevant to the application. The decision notice also clearly states the policies of the development plan that the proposal would conflict with. This reason is subsequently substantiated by the Officer's report and subsequent submissions.
5. While, in determining the appeal I have not agreed with the Council with regards parking, it is my judgement that the Council were not unreasonable in coming to the decision that they did and there is no substantive evidence to suggest that they have unreasonably prevented or delayed a development that should otherwise have been approved.
6. As such, I do not find that the Council has acted unreasonably in this case. For this reason, an award for costs is not justified.

Mr M Brooker INSPECTOR