



Costs Decision

Site visit made on 25 April 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023

Costs application in relation to Appeal Ref: APP/R5510/D/22/3313002 44 Ickenham Road, Ruislip HA4 7DQ

- 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 Rishi Verma for a partial award of costs against the Council of the London Borough of Hillingdon.
 - The appeal was against the refusal of planning permission for a vehicular crossover with turn-table.
-

Decision

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

Reasons

2. Parties in planning appeals normally meet their own expenses. However, 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. In essence, the applicant considers that the Council acted unreasonably by delaying consideration of the application, being uncooperative, and not giving the application proper consideration.
4. The Council accepts that it did not determine the application within the prescribed period and a subsequent agreed extension of time. There is little understandable reason why this delay occurred, even taking into account the involvement of different specialists within the Council.
5. That said, the evidence shows that there was some dialogue between the parties prior to the decision being issued and that the Council's intention to refuse the application was made clear beforehand. Given the differences between the parties on the merits of the proposal, it seems unlikely that an appeal could have been avoided. Moreover, as can be seen within my appeal Decision, the Council had legitimate concerns which ultimately justified its decision.
6. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A Caines

INSPECTOR