



Costs Decision

Site visit made on 4 May 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023

Costs application in relation to Appeal Ref: APP/B5480/D/23/3317721 15 Grosvenor Road, Havering, Romford RM7 0QU

- 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 Miss Ledia Rama for a full award of costs against the Council of the London Borough of Havering.
 - The appeal was against the refusal of planning permission for single and first floor infill extension and conversion of roof space to habitable use to include a rear dormer, and 2 front roof lights.
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Decision

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

Reasons

2. The Planning Practice Guidance (PPG) 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. The Appellant contends that the Council misinterpreted the Havering Residential Extensions and Alterations Supplementary Planning Document (2011) (the SPD) in terms of the assertion that the two storey extension should be off set from the boundary by at least 2m. The Appellant also raises issue that a site visit was not undertaken by the Council during the determination of the application.
4. The Council in the 'Officer report for decision under delegated authority' confirm that the proposed development would not comply with the SPD due to the two storey rear extension not being set in at least 2m from the shared boundary. Whilst the SPD specifies that a two storey rear extension should be off set from the boundary by at least 2m from the boundary of an attached property this does not apply to non-attached properties. However, the SPD does state that an equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary.
5. Whilst the Council's reasoning is not clearly rationalised, the proposed development would not comply with the SPD as the proposed development would harm the amenity of No. 17 Grosvenor Road as outlined in my decision.

6. Whilst a site visit would allow the Council to view site specifics, the proposed develop is in clear breach of the cited development plan policies. I therefore consider that the refusal of planning permission was well founded.

Conclusion

7. As a result, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

C Pipe

INSPECTOR