



## Costs Decision

**by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 04 September 2023**

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### **Costs application in relation to Appeal Ref: APP/R5510/X/22/3309279**

#### **105 Cranborne Waye, Hayes, Middlesex UB4 0HR**

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
  - The application is made by the London Borough of Hillingdon for an award of costs against Mrs Jenny Drummond.
  - The appeal was against the refusal of an LDC for existing use of annexe as a one-bedroom flat.
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### **Decision**

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

### **Reasons**

2. Parties in planning appeals normally meet their own expenses. However, 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 did submit information at appeal stage in addition to that submitted at application stage, both in response to a post-application request by the Council and in response to the costs application. This was not unreasonable even if the Appellant had been professionally represented. It is not uncommon, and is reasonable, for additional information to be submitted at appeal stage and it is reasonable for an Appellant to pursue an appeal following receipt of a refusal notice. The Appellant has not behaved unreasonably and the Council has not therefore incurred wasted expense. The claim for costs thus fails.

***John Braithwaite***

Inspector