



Costs Decision

Site visit made on 30 August 2023

by Mr Cresswell BSc (Hons), MA, MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2023

Costs application in relation to Appeal Ref: APP/Y5420/W/23/3320431 29 Milton Park, LONDON, N6 5QB

- 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 and Mrs Siobhan & John Healy for a full award of costs against the London Borough of Haringey.
 - The appeal was against the refusal of planning permission for demolition of side kitchen extension to 29 Milton Park and construction of a new three storey plus basement family house on the cleared plot.
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Decision

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

Reasons

2. The appeal property is a component of a designated Conservation Area and so the Council was justified in describing the site as a heritage asset. While paragraph 207 of the National Planning Policy Framework says that not all elements of a Conservation Area will necessarily contribute to its significance, decisions surrounding this matter are largely a matter of planning judgement which the Council was entitled to reach its own view on.
3. Both the Officer Report and Council's Appeal Statement go into some detail about why the site is considered to add to the significance of the heritage asset. This includes paragraphs 6.3 to 6.14 of the Officer Report and paragraphs 4 to 25 of the Council's Appeal Statement. Reference is made in this evidence to the Conservation Area Appraisal which indicates that the site has a 'jarring note' by virtue of the modern extension and car parking area. The weight attached to the Conservation Area Appraisal and other evidence is a matter of opinion and the Council are clear in explaining why, in their view, the proposal would be more harmful than the existing development.
4. Therefore, although the appellants may disagree with the views expressed in the Council's evidence, it seems to me that the Council has provided a reasonable explanation to justify its stance on these matters. Neither the Officer Report nor the Council Appeal Statement say that all proposals for development must be resisted, as the appellants suggest.
5. The Officer Report quotes the responses received from internal consultees and Thames Water. A summary of public comments was also provided, including an acknowledgement of 7 letters of support. The report also covers the merits of the scheme, including the benefit of providing a residential unit. As such, the Council has taken into account a range of material considerations in its overall analysis of the proposal.

6. For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

C Cresswell

INSPECTOR