



Costs Decision

Site visit made on 17 October 2023 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2023

Costs application in relation to Appeal Ref: APP/M5450/D/23/3323697 1 Fallowfield, Stanmore, Harrow HA7 3DF

- 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 Sanjay Meghani for a full award of costs against the Council of the London Borough of Harrow.
- The appeal was against the refusal of planning permission ref P/0173/23 described as 'part single storey front/side extension'.

Decision

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

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the application.

Reasons

3. 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.
4. The appellant states that the Council's pre-application advice reference P/2086/22/PREAPP supported the principle of a single storey front extension. The advice in that case did support that single storey front extension; however, that application was for a different scheme to the appeal proposal. Regardless, the PPG is clear that pre-application advice is not binding, and it cannot pre-empt the democratic decision-making process in the event that an application is made. On further detailed consideration of the submitted application, with plans that differed from that pre-application, the Council found issues with the scheme and refused on this basis. These are matters of planning judgement that were clearly articulated within the supporting evidence.

Conclusion and Recommendation

5. With the above in mind, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified. I therefore recommend that the application be refused.

S Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

6. I have considered all the submitted evidence and my representative's report and on that basis I refuse the application.

John Morrison

INSPECTOR