



Costs Decision

Site visit made on 16 October 2023

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2024

Costs application in relation to Appeal Ref: APP/E5330/W/23/3320743

1 PRINCE OF ORANGE LANE, GREENWICH SE10 8JQ

- 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 the Council of the Royal Borough of Greenwich for a full award of costs against Mr Harneet Mangat.
 - The appeal was against the refusal of planning permission for proposed change of use from B1 offices to C3 residential use including extension of basement for 2 no. self-contained residential flats.
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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 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 Council claims that the appellant has omitted previous appeal decisions¹ at this site from their submissions, and these appeals were relevant to the current appeal proposal. It considers that by failing to include these decisions the appellant has provided information that is manifestly inaccurate and untrue, resulting in unreasonable behaviour.
4. I consider that the appellant not referring to previous appeal decisions does not result in their submission being manifestly inaccurate and untrue. It is for each party to put forward their own case in support of their arguments. Furthermore, the Council's officer report clearly details the planning history of the site and refers to these appeal decisions in great detail which rather obviates the necessity for the appellant to include them too, particularly if they do not rely upon them.
5. The Council also claims that the appellant has ignored and failed to address the conclusions reached by the Inspectors when dismissing the previous appeals at this site. In my decision letter I have explained my own assessment of the relevance of these previous appeal decisions, and the differences, in comparison to the current appeal, and the implications in the determination of the appeal proposal.

¹ APP/E5330/W/22/3292535 and APP/E5330/W/20/3255724

6. Given that I have ultimately found in favour of the appellant in respect of the relevance of these appeal decisions in the determination of the proposal, I do not consider their behaviour in respect of the previous appeal decisions was unreasonable.

Conclusion

7. Given the above, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

R Major

INSPECTOR