



Costs Decision

Site visit made on 20 May 2024

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Costs application in relation to

Appeal Ref: APP/A5840/W/23/33332511

1 (A, B and C) Camberwell Road, London SE5 0EZ

- 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 Erdinc Sisman for a full award of costs against the Council of the London Borough of Southwark.
 - The appeal was against the refusal of planning permission for change of use of first, second and third floor from approved residential (C3) to short stay accommodation (sui generis).
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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 applicant has largely reiterated arguments detailed in their statement of case relating to Policy P3 of the Southwark Plan and the appeal site not having existing housing. As can be seen in my appeal decision, I have found that there is existing housing at the appeal site and the proposal is contrary to the development plan, so subsequently I have dismissed the appeal. The Council have therefore not acted unreasonably in determining the planning application.
4. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Chris Baxter

INSPECTOR