



Costs Decision

Site visit made on 25 July 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2024

Costs application in relation to Appeal Ref: APP/E5900/D/24/3343009 5 Cartwright Street, Tower Hamlets, London E1 8LY

- 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 Shahanur Rashid for a full award of costs against the Council of the London Borough of Tower Hamlets.
 - The appeal was against the refusal of the Council to grant planning permission for the creation of an additional floor with a new roof light to the existing 3 storey building.
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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. In this instance, the appellant has alleged that the Council refused an application that should have been approved, and that this refusal resulted in unnecessary wasted time and expense. However, while I have allowed the appeal, issues of character and appearance are very much down to the personal opinion of the decision maker. In my view, the Council did not act unreasonably by refusing the application on these grounds.
4. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR