



Costs Decision

Site visit made on 1 October 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Costs application in relation to Appeal Ref: APP/Q5300/W/23/3330497 25 Latymer Way, Edmonton, Enfield N9 9UB

- 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 Zenel Baraku for a full award of costs against the Council of the London Borough of Enfield.
 - The appeal was against the refusal of planning permission for sub-division of site together with conversion of single-family dwelling house into two single family dwellings, alterations to front fenestration, bike shed and drop kerb with vehicular access.
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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. The applicant alleges that the Council acted unreasonably by initially joining together an application for the proposed development and an application for a vehicle crossover, and then separating them.
4. As confirmed by the Council, the application Ref 23/01341/FUL was validated and publicised with the following description of development 'sub-division of site together with conversion of single-family dwelling house into two single family dwellings, alterations to front fenestration, bike shed and drop kerb with vehicular access.' There is no evidence that the applicant objected to the description of development, which in any event, includes reference to the proposed drop kerb with vehicular access, and so it is not the case that the vehicle crossover was to be considered separately. This brings me to conclude that no unreasonable behaviour occurred in this regard.

Conclusion

5. For the reasons given above, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and I therefore conclude that the application for an award of costs is refused.

F Harrison

INSPECTOR