



Costs Decision

Site visit made on 28 October 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2024

Costs application in relation to Appeal Ref: APP/Y5420/D/24/3345567 129 Castlewood Road, Tottenham, Haringey, London N15 6BD

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr S Ollech for a full award of costs against the London Borough of Haringey Council.
 - The appeal was against the refusal of planning permission for a first floor rear extension.
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Decision

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

Reasons

2. 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 basis of the appellant's application for costs is that previous planning approvals for similar extensions to other properties in the terrace illustrate inconsistent decision making and constitutes unreasonable behaviour on the part of the Council
4. The previously approved applications were made in 2014 for similar rear first floor extensions at 123 and 135 Castlewood Road (No. 123 and No. 135). It is not evident from the material before me that either of these approvals were implemented. Therefore, neither is available to assess in terms of their actual as built effect on the terrace.
5. I am cognisant that planning policy, guidance and practice as it relates to design evolves with time. It is 10 years since the approvals for similar extensions to No. 123 and No. 135 were given. The Council officer's report clearly acknowledges that an application in 2014 was given approval for an almost identical similar extension at No.135. This report does however set out that the Policy DM12 of the Haringey Development Management DPD (2017) states that proposals for residential extensions should have regard to the earlier adopted SPD House Extensions in South Tottenham Supplementary Planning Document (2013) (the SPD). The SPD includes guidance that generally discourages 2 storey or higher rear extensions.
6. In allowing the appeal I have evidently have not come to the same conclusion as the Council in refusing the application. However, within the context of

recently adopted policy and the time elapsed since the approvals for No. 123 and No. 135, I find that it is reasonable for the Council to make their considerations and come to their conclusion accordingly. As such, I do not find that the approval by the Council of applications for similar extensions made in 2014 represents or illustrates inconsistent decision making.

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

Victor Callister

INSPECTOR