



Costs Decision

Site visit made on

by **C J Leigh BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2025

Costs application in relation to Appeal Ref: APP/E5330/D/24/3351667

10 Edgeworth Road, Eltham, London, SE9 6JG

- 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 Piotr Witkowski for a full award of costs against the Council of The Royal Borough of Greenwich.
 - The appeal was against the refusal of planning permission for demolition of existing garage and construction of a part one, part two storey side extension, and 50mm render to front and back of property.
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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 appellant states that the Council failed to provide adequate reasoning and evidence for refusing the application, that the proposal complies with local and national planning policies, and the refusal was vague and unsubstantiated by tangible or professional reports.
4. The Council produced a detailed Delegated Report relating to the application that appraised the proposals carefully against the policies of the development plan, supplementary planning guidance and national planning policy guidance. My findings were that the proposed extension satisfies these policies, which is a matter of planning judgement. Although I came to different conclusions I consider the Council's position was clearly explained, with reference to relevant evidence and policies.
5. The appellant considers the Council was inconsistent in decision-making, referring me to other properties in the area. It is clear to me the authority was aware of the context of the wider area and other decisions, but that the refusal was based on its own merits having regard to current planning policies and the specifics of the case. I have determined the appeal similarly and concluded differently to the authority, but I do not consider the Council's approach failed.
6. The appellant further states that the Council did not follow pre-application advice. I have been provided with a copy of that advice which says that the two storey side extension presented at that time would be unlikely to be supported, whilst the

render could be acceptable, subject to further information at the application stage. I therefore do not find the Council's decision to refuse the application unreasonable, as it was evidently their judgement that the scheme as formally submitted at the application stage did not address those clear pre-application comments. Again, although I came to a different conclusion when assessing the appealed scheme, this was a matter of judgement when considering the matter against the development plan and material considerations.

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

C J Leigh

INSPECTOR