



Costs Decision

Site visit made on 14 January 2025

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

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Costs application in relation to Appeal Ref: APP/E5330/D/24/3348377

23 Manor Way, Blackheath, London, SE3 9EF

- 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 Pamela Carter 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 a part single, part double storey rear and side extension, partial basement, alterations to the rear dormer, fenestration upgrades, new porch, landscape and internal updates to suit.
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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 has prevented development that should clearly have been permitted having regard to local and national planning policies, and other material considerations; in particular, the content of a recent appeal decision concerning the property¹.
4. The comments of my colleague Inspector did identify particular aspects where the previous scheme was objectionable and where elements were acceptable, with the overall conclusion was that the cumulative effect of the proposed extensions would be harmful to the Blackheath Park Conservation Area and consequently result in conflict with the development plan.
5. I acknowledge that the scheme before me addressed matters raised by the Inspector – including the roof, single storey rear extension and basement – and as a result the scheme is notably different from that dismissed at appeal. However, I also acknowledge the Council's point that the proposals still show a sizable increase to the house with a number of differences in the design approach from the previous proposal, and it was necessary to have careful consideration of the effect of such works on the character and appearance of the Conservation Area.
6. The Council's Conservation Officer set out a detailed appraisal of the amended scheme, and the Delegated Report was a considered assessment of the

¹ APP/E5330/D/23/3324671

application against local and national policies that took account of that response, along with other consultation responses from third parties including the Blackheath Society and Blackheath Park Conservation Group, and the applicant's submissions. My findings were that the proposed extensions were consistent with such policies, and that was a matter of planning judgement. Although I came to different conclusions, due to the nature of the works proposed to the property and given the location, I consider the Council's decision to come to a different judgement was not unreasonable behaviour.

7. The appellant considers the Council was inconsistent in decision-making, referring me to other properties in the area. It is clear to me the refusal was based on its own merits having regard to current planning policies and the specifics of the case. I determined the case solely on its own merits, and in my view the Council's approach in decision-making was not flawed in this regard.
8. 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