



Costs Decision

Site visit made on 27 March 2025

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 April 2025

Costs application in relation to Appeal Ref: APP/M5450/D/24/3355404

43 Lulworth Drive, Pinner, Harrow HA5 1NF

- 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 Rajeev Kumar Goreja for a full award of costs against Harrow Council.
 - The appeal was against the refusal of planning permission for a two storey side to rear extension, a single storey rear extension, a single storey front extension incorporating a porch, decking at the rear (and demolition of an attached garage, side extension and rear conservatory).
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Decision

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

Reasons

2. The Planning Practice Guidance states that the aim of the costs regime is, amongst other things, to encourage all those involved to behave in a reasonable way and to follow good practice, and to encourage local planning authorities to properly exercise their development management responsibilities. Parties in planning appeals normally meet their own expenses, but costs may be awarded against a party who has behaved unreasonably and has thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. At ID: 16-049-20140306 it provides examples of behaviour that may give rise to a substantive award of costs against a local planning authority. These relate to the planning merits of the appeal, and include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and other material considerations; and not determining similar cases in a consistent manner. Behaviour and actions at the time of the planning application can be taken into account in the consideration of whether or not costs should be awarded.
4. Both principal parties referred to cases elsewhere, some of which were allowed at appeal, and others of which were dismissed. In its Costs Rebuttal the Council acknowledges that the appeal decisions referred to in the latter part of its delegated report were added in error, as these concerned the streetscene impact of two storey side extensions following previous hip to gable alterations, to which it did not object in this particular case.
5. However, notwithstanding that error, the Council's delegated report and its decision notice were reasonably clear that, it was the scale, mass and design of the proposal, having regard to cumulative impacts of development, mainly to the rear of the host, that were its concern; rather than the streetscene impact of the side

extension which it found to be 'clearly subordinate' and 'acceptable on balance', having regard to a recent nearby appeal decision at 65 Lulworth Drive.

6. In my decision I found significant differences between the scheme before me, when considered as a whole, compared to that example at 65 Lulworth Drive, and differences compared to it and the example further away at 34 Rowlands Avenue; and that I could not draw meaningful conclusions regarding all the cited decisions without knowledge of their individual setting and context.
7. Having regard to the Council's delegated report, and in particular the sections headed 'Description' and 'Design (Layout, Height, Massing and Materials)', I am satisfied that the Council appropriately assessed this scheme in this location on its planning merits, having regard to its design and the cumulative impact of extensions to the host property. Its approach was not therefore illogical or irrational.
8. It explained its decision by reference to development plan policies, taking into account other material considerations, such as the National Planning Policy Framework and the Harrow Residential Design Guide Supplementary Planning Document 2010.
9. I reached a similar general conclusion to the Council in respect of the substance of the matter under appeal. I am satisfied that it appropriately exercised its duty to determine planning applications in a reasonable manner; and that this is not a case where it prevented development which should clearly have been permitted, or where it failed to determine similar cases in a consistent manner.
10. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. The application for an award of costs is refused.

Chris Couper

INSPECTOR