



Costs Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 19th June 2025

**Appeal ref: APP/X5210/C/25/3359337: Application for costs
Land at Flat 2, 80 Greencroft Gardens, London, NW6 3JQ**

- The costs application is made under section 250(5) of the Local Government Act 1972 and sections 174 & 322 the Town & Country Planning Act 1990, as amended.
- The application is made by Mrs Sarah Abergel against the London Borough of Camden.
- The appeal was made under section 174(2)(g) of the Town & Country Planning Act 1990, as amended.

Summary of decision: The application fails and no award of costs is being made.

Reasons for the decision

1. The main basis of the appellant's claim for costs is that she believes the Council ignored the fact that planning permission was granted for a larger pergola at a neighbouring property so acted inconsistently and should not have issued the enforcement notice. However, as the appeal under ground (a) was barred, the planning merits of the unauthorised development have not been tested and I have no jurisdiction to do so. I can only point out that each case is considered on its own individual merits, and if the appellant is concerned about the Council's conduct or their adopted procedures, she may wish to make a complaint through the Council's established complaints process in the context of local government accountability.
2. On the evidence before me, I am not satisfied that the Council acted unreasonably by issuing the enforcement notice when they did.

Formal decision

3. For the reasons given above, I conclude that the Council did not act unreasonably and did not cause the appellant to incur wasted or unnecessary expense in the appeal process. No award of costs is therefore justified in the particular circumstances.

K McEntee