
Costs Decision

Site visit made on 25 June 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Costs application in relation to Appeal Ref: APP/Y5420/W/25/3363653

41 Baronet Road, Tottenham, London N17 0LY

- 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 Schneck for a full award of costs against the Council of the London Borough of Haringey.
 - The appeal was against the refusal of planning permission for the erection of a dormer extension and the change of use from a single dwellinghouse (Class C3) to an 8-bed HMO (Sui-Generis) together with the provision of refuse and cycle storage.
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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. Compared to the approved scheme for a House in Multiple Occupation (HMO) at No 41, the proposal would result in more residents occupying a property with a different internal layout and facilities. Given these significant differences, the Council was not bound by its previous decision to approve the development or to find that the scheme was policy compliant. It was entitled to consider the proposal afresh and on its own merits. Having done so, the Officer's report clearly explains why an increase to 8 occupiers within the HMO would, in the Council's view, be harmful and conflict with development plan policies. Accordingly, the Council concluded that planning permission should be withheld. For the reasons given in my decision, I agree with them.
4. The Officer's report refers to a lack of dedicated storage for future residents within the HMO. Since the internal layout differed to the approved HMO scheme and some of the bedrooms were rather small, the Council was entitled to raise this as a relevant issue.
5. There were some similarities between the proposal and several HMO schemes that had secured planning permission with, in the eyes of the appellant, comparable communal space and kitchen facilities. The Council regarded none of these examples to be directly comparable with the proposal for reasons set out in the evidence. Unlike the proposal, the approved HMO schemes each included space for a dining table and seats thereby enabling occupiers to sit and dine in comfort,

engage socially, and to unwind. The Council was not, therefore, inconsistent in its approach and deciding to refuse planning permission in this instance.

6. The reasons for refusal are clearly framed and these set out the harm that the Council considered would be caused by the development. From my reading of the Officer's report, cycle storage was regarded to be inadequate given the vertical racking arrangement rather than its effect on the living conditions of others. To my mind, realistic and specific evidence about the consequences of the development was provided by the Council. There is no obvious indication that any part of the Council's assessment was flawed procedurally.
7. My assessment of the effects of the proposal differ to those of the Council in relation to some of the main issues, notably, the living conditions of existing residents, cycle storage and family housing. These differences arose because I made different judgements on the evidence rather than because of inadequacies in the content of the Council's case. That I came to a different conclusion on these particular matters does not mean that the Council failed to show why in its view the development should not be permitted or that it failed to substantiate its case.

Conclusion

8. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated, and therefore an award of costs is not justified.

Gary Deane

INSPECTOR