
Costs Decision

Site visit made on 2 July 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

Costs application in relation to Appeal Ref: APP/L5240/W/24/3358178 Karlyn House, 2A High Beech, South Croydon CR2 7QB

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Rajash Sood of Serona Capital Partners for a full award of costs against the Council of the London Borough of Croydon.
 - The appeal was against the refusal of planning permission for conversion of the property into 4 flats, together with the erection of a part 2, part 3 storey rear extension and alterations to the front and rear elevations with associated car parking and hard and soft landscaping.
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Decision

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

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) 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. Unreasonable behaviour on the part of a local planning authority may include persisting in objections to a scheme or elements of a scheme which an Inspector has previously indicated to be acceptable. The appellant is of the view that the previous appeal decision was ignored by some members of the committee and that consequently the case has not been determined in a consistent manner. It is suggested that this has delayed the delivery of new houses.
4. However, the Council's statement makes several references to the previous appeal decision on the site (APP/L5240/W/23/3325456), including in the context of what it considered the material differences to be. This includes that the previous scheme related to a new build development and the current appeal proposal is a conversion scheme. I have little substantive evidence to show that the Council has been inconsistent in its approach to decision making.
5. In dismissing the appeal, I consider that the Council's refusal of the application was justified and therefore has not prevented development which should clearly be permitted. Whilst I have reached a different conclusion to the Council in respect to two of the reasons for refusal, the reasoning is still substantially evidenced within the Council's Statement.

Conclusion

6. In view of the above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, an award of costs is not justified against the Council.

L Gardner

INSPECTOR