



Costs Decision

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by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Costs application in relation to Appeal Ref: APP/F5540/X/24/3347336

3 Stucley Road, Hounslow TW5 0TN

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Mrs Veena Sharma for a full award of costs against the Council of the London Borough of Hounslow.
- The appeal was against the refusal of a certificate of lawful use or development for the proposed erection of a new front porch.

Decision

1. The application for an award of costs is allowed in the terms set out below.

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. Unreasonable behaviour can be procedural, or it can relate to the substance of the matters under consideration as part of the appeal.
3. Paragraph 049¹ of the PPG highlights the examples of unreasonable behaviour by Local Planning Authorities (LPA) where costs can be awarded. The applicant has submitted that the LPA has acted unreasonably in that it has acted contrary to, and not followed the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015, as amended (GPDO). Specifically, it is claimed, that the LPA failed to assess the information submitted at the application stage, with regard to the requirements of Schedule 2, Part 1, Class D of the GPDO. The applicant further contends that in refusing the Lawful Development Certificate (LDC) the LPA delayed a development that should clearly have been permitted and thus avoided an appeal.
4. My appeal decision explains why the LPA's reason for refusing the LDC application did not stand up to scrutiny as a matter of fact or on the correct interpretation of the GPDO. Furthermore, the LPA did not supply an adequate explanation as to why the specific circumstances in this case differed from the general understanding of the application of Class D of the GPDO.
5. I therefore find that unreasonable behaviour resulting in unnecessary and wasted expense, as described in the PPG, has been demonstrated and that a full award of costs is justified because the entire appeal could have been avoided.

¹ Appeals Paragraph: 049 Reference ID: 16-049-20140306

Costs Order

6. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the Council of the London Borough of Hounslow shall pay to Mrs Veena Sharma, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
7. The applicant is now invited to submit to Council of the London Borough of Hounslow, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Robert Naylor

INSPECTOR