Costs Decision

Site visit made on 14 July 2025

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2025

Costs application in relation to Appeal Ref: APP/E5330/D/24/3348377
23 Manor Way, Blackheath, London, SE3 9EF

- 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 & Mrs Wickramasinghe for a full award of costs against the Welwyn and Hatfield Borough Council.
- The appeal was against the refusal of planning permission for a part single storey, part two storey front, side and rear extensions and new rear dormer.

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. The appellants state the Council has prevented development that should clearly have been permitted having regard to local and national planning policies, and other material considerations. The basis of this claim is that the appellants consider the proposed development accords with part (g) of paragraph 154 of the National Planning Policy Framework, which relates to the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

4. My decision letter explains why the proposal falls to be considered under part (c) of paragraph 154 of the Framework, as it is clearly an extension to an existing building and not the redevelopment of previously developed land. The scheme involves ‘development’, which would result in significant changes to the existing building, but that is not the same as the ‘redevelopment of previously developed land’: the scheme is plainly one of extensions to a retained building. The Framework, and Policy SADM 34 of the Welwyn Hatfield Borough Council Local Plan 2023, are unmistakably expressed in their wording when read as a whole that such development falls to be considered under part (c) of paragraph 154, not part (g).

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

C J Leigh

INSPECTOR