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## Costs Decision

Site visit made on 26 August 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

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### **Costs application in relation to Appeal Ref: APP/R5510/W/25/3366903 The Venue, The Assembly Buildings, The Old Vinyl Factory, Powerhouse Lane Hayes UB3 1FN**

- 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 Weston Homes Plc for a full award of costs against the Council of the London Borough of Hillingdon.
  - The appeal was against the refusal of planning permission for a full planning application to convert consented commercial floor space / mezzanine space into 9 no. residential units comprising a mixture of apartments and duplexes, which include 1-, 2- and 3-bed units.
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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. The appellant contends that the Council has behaved unreasonably through a failure to work proactively at application stage. Specifically, it is stated that despite numerous requests (evidence of which has been provided through copies of email correspondence), consultation responses were not shared during the application. The appellant is of the view that, had these been provided during the application, additional evidence and details could have been supplied which would have avoided the refusal of the application.
4. There is no statutory requirement for consultee comments to be published online, nor shared through the application process. Whilst it may in some instances be a helpful approach, the officer dealing with the application was not obliged to provide these responses prior to the formal decision. The associated officer report sets out the weight which was attached to the consultation responses received, including in the context of how they contributed towards the reasons for refusal. However, it could have been the case that the officer recommendation did not align with the consultation responses and in that scenario their distribution prior to the formal decision could have been misleading.
5. The Council has confirmed that the additional evidence provided at the appeal stage would not have overcome the reasons for refusal within the formal decision notice. The preparation of these documents at an earlier stage would therefore not have prevented the appeal or its associated costs.

## **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