
Costs Decision

Site visit made on 10 August 2025

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Costs application in relation to Appeal Ref: APP/Y1945/W/25/3368344

Land adjacent to 111 Queens Road, Watford WD17 2QL

- 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 Sham and Shah for a full award of costs against Watford Borough Council.
 - The appeal was against the refusal of planning permission for an application to retain a new dwelling, alterations to previously approved house.
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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 applicant raises points about the Council's failure to engage or provide timely feedback during the planning application, but the PPG is clear that costs cannot be awarded for this period. Similarly, criticisms are levelled at the Council's analysis of the supporting information and the omission of specific reference to it within the Officer Report. However, costs cannot be awarded for these matters for the same reason also. The Council has, in any event, substantiated its case by explaining why it arrived at the decision that it did. Furthermore, it was cognisant of the site's planning history. So, while the applicant may disagree with that analysis, that does not mean that the Council has acted unreasonably in the appeal process.
4. The applicant makes further points about internal inconsistency and apparent bias. It was not within the scope of the appeal to consider whether advertisement consent may have been required for any advertisements that were previously on the land. That was not the proposal before me. Further, the Council's actions insofar as the advertisements is a matter that lies outside of the scope of this appeal, and insofar as perceived double standards or bias, the Council has considered the development proposal before me, as applied for, having regard to the development plan and the material considerations raised. That is what is required of decision-makers when determining development proposals.
5. Within the appeal process the Council is not required to submit a Statement of Case, though they can be. The Council must have considered that its Officer Report adequately explained its case and why it took the decision that it did. I have had regard to that in reaching my decision, along with the applicant's evidence,

which has responded to the analysis found in the Officer Report that substantiated the Council's case. Therefore, the Council has not acted unreasonably in this regard, bearing in mind the examples of unreasonable behaviour found in PPG paragraph 049. But, even if it did, the applicant has not been put to any additional expense in the appeal process, as the appeal had by this time already been submitted, and the appellant has not made any further submissions since lodging the appeal or in response to the Council's questionnaire.

6. Therefore, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Andrew McGlone

INSPECTOR