



Costs Decision

by A Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2025

Costs application in relation to Appeal Ref: APP/R5510/X/24/3342495

20 Annexe, Central Avenue, Hayes, Hillingdon UB3 2BX

- 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 Mr Jinderpal Hayer for a full award of costs against the Council of the London Borough of Hillingdon.
 - The appeal was against the refusal of a certificate of lawful use or development for a flat used for more than 4 years as a residential use.
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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 LDC application was submitted on 31 August 2023 and determined on 22 January 2024. Whilst this is longer than the expected eight weeks for an LDC application to be determined, the Council confirm the appellant agreed to the extension of time in order to seek a consultation response from the Council's Legal Officer. I do not consider that this delay was unreasonable.
4. In respect of the bank statements not being requested from the appellant, it is for the appellant to provide whatever evidence they deem necessary to support their case. With regard to the 2017 application, it was similarly found that there was insufficient information to grant a certificate, therefore it does not support the current appeal. Moreover, the Council confirm the 2016 enforcement case related to an outbuilding and therefore is not relevant to the use of the appeal building as a flat.
5. Overall, notwithstanding the application alleges the Council's unreasonable behaviour during their consideration of the LDC application and not the appeal process, I find that the Council did not behave unreasonably.

Conclusion

6. I therefore conclude that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated. For this reason, an award for costs is therefore not justified.

A Walker INSPECTOR