
Costs Decision

Site visit made on 14 October 2025

by **A Caines BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2025

Costs application in relation to Appeal Ref: APP/Q5300/W/25/3371253

75 Eastbournia Avenue, Edmonton, Enfield N9 0RU

- 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 Noah Harris for a full award of costs against the Council of the London Borough of Enfield.
 - The appeal was against the refusal of planning permission for single storey infill extension, L-shaped dormer extension with front rooflights and the change of use from a single dwelling (Class C3) to a 6-bed, 6-person HMO (Class C4) with the provision of refuse and cycle storage.
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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) explains 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. Examples of such behaviour include failing to produce evidence to substantiate a reason for refusal, or refusing planning permission for a matter that could reasonably be addressed by a condition.
3. In summary, the appellant contends that the Council misinterpreted the submitted plans in relation to the head height in Bedroom 6, and that the second reason for refusal, concerning refuse storage, related to a matter capable of being addressed by condition.
4. In respect of Bedroom 6, my appeal decision found that the room met the minimum ceiling height requirements of Policy D6 of the London Plan and the Council's HMO guidance. However, the Council's concerns extended to the overall quality and functionality of the accommodation. These concerns were reasonably articulated by reference to development plan policy. While I ultimately concluded that the room would provide an acceptable standard of accommodation, the Council was entitled to exercise its own planning judgement. The PPG does not require that a party's case ultimately succeeds, only that it is reasonably substantiated. In this context, I am satisfied that the Council's position was not solely based on a misreading of the plans and reflected a reasonable exercise of planning judgment.
5. With regard to refuse storage, my appeal decision concluded that the proposed arrangements were inadequate and would cause harm to the character of the street scene and to pedestrian safety. Although the appellant argued that the matter could have been addressed by condition, I found that the unresolved nature of the

concerns and the limited scope for layout revisions meant that a condition would not have adequately addressed the harm identified. It was therefore reasonable for the Council to conclude that the information before it was insufficient to demonstrate compliance with relevant policies and to refuse planning permission on that basis. While the appellant refers to another case where the Council used a condition to secure refuse storage details, the Council has explained that the circumstances of that case differed, and there is no compelling evidence to indicate that it acted inconsistently or unreasonably in this instance.

Conclusion

6. For the reasons given above, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified.

A Caines

INSPECTOR