
Costs Decision

Site visit made on 29 September 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Costs application in relation to Appeal Ref: APP/R5510/W/25/3365335 The Old Coal Depot, Tavistock Road, West Drayton, Hillingdon UB7 7RS

- 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 Harry Sran (Punjab Skips Limited) 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 the construction and use of a temporary building for the transfer of waste with associated infrastructure and site office building for a temporary period of five years.
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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. In this case, the applicant asserts that the Council has acted unreasonably at validation stage and on its management of the case.
4. With regards to validation of the application, the applicant asserts that the Council was unreasonable to follow its local validation list and request the submission of a Design & Access Statement (DAS) in order to validate the application. While this is not a statutory requirement under Part 3, Section 9 (4) (e) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO), the PPG makes it clear that the planning authority may request supporting information with a planning application. The DAS requested by the planning authority was reasonable having regard to the nature and scale of the proposed development. As such, the Council was not unreasonable to request the submission of the DAS.
5. In terms of case management, the applicant contends that the Council has failed to provide them with the responses from technical consultees and, additionally, it has failed to make said responses public on its website. The PPG identifies that unreasonable behaviour includes refusing to provide reasonably requested information.
6. While the Council did maintain some communication throughout the process, there is limited evidence to suggest that the Council provided the consultation responses requested by the applicant. Whereas this was unreasonable, the evidence shows

that the further details provided by the applicant with their appeal submission did not successfully address the Council's concerns in relation to highway safety and air quality. In addition, I have reached similar conclusions to the Council regarding these main issues. On this basis, I am not convinced that the appeal could have been avoided or that the issues to be considered in the appeal would have been narrowed any further.

7. In relation to reason for refusal 3, pertaining to Biodiversity Net Gain (BNG), the applicant asserts that the Council refused the application shortly advising them that this would form a reason for refusal. Consequently, the applicant contends they were not provided with an opportunity to respond to this matter. As it can be seen in my decision notice, I have agreed with the applicant in relation to this main issue. However, the application was refused on other grounds and therefore it is unlikely that the appeal would not have been lodged, had the applicant been provided with some time to comment. In addition, the evidence submitted with the appeal in relation to this main issue it is not extensive. As such, I do not find that this led to unnecessary expense in addressing this reason for refusal within the appeal submission.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

P Terceiro

INSPECTOR