
Costs Decision

Site visit made on 17 June 2025

by **N Unwin BSc (hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 November 2025

Costs application in relation to Appeal Ref: APP/Y5420/W/24/3357080 12 - 14 Clifton Gardens, London N15 6AP

- 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 Moshe Lorincz for a full award of costs against the Council of the London Borough of Haringey.
 - The appeal was against the refusal of planning permission for the erection of a basement extension with rear lightwells and a new staircase connecting the basement to the rear garden. Resubmission of the ground floor 6m rear extension to No. 12 following approval (Ref: HGY/2022/1138). Rear infill extension to the ground floor rear extension at No. 14.
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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 contends that the Council did not properly consider the evidence provided about the intended use of the proposed basement rooms. The applicant confirmed that the proposed basement would be used for storage and a playroom in an email to the Council dated 21st of November 2024. A playroom would constitute a habitable room and therefore the Council's assessment of the basement as a habitable room is not unreasonable. Further, the Council assessed the proposal against the policies relevant to the main issue.
4. The appellant raises the planning permission for a basement at 18 Clifton Gardens. Nevertheless, I have not been made aware of the full details of this and therefore I cannot be sure the considerations were the same as the appeal relating to this costs application. Thus, there is limited evidence before me to suggest the Council have been inconsistent in their decision making in this regard.
5. The appellant contends that the Council did not give weight to the fallback position of a six metre rear extension at 12 Clifton Gardens. However, the delegated report makes specific reference to an extant planning permission for a six metre deep extension with a maximum height of three metres (reference HGY/2022/1138) which is taken as a fallback position for this portion of the proposal. Therefore, the Council acted reasonably in considering this fallback in this regard. Further, the Council's reason for refusal relates to living conditions for future users of the

proposed basements, raising no objection to the proposed rear extension or the structural stability or environmental requirements for a basement development.

Conclusion

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

N Unwin

INSPECTOR