



Costs Decision

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2025

Costs application in relation to Appeal Ref: APP/Q5300/X/24/3353394

46 Grenoble Gardens, London N13 6JG

- 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 Kiks Group Ltd for a full award of costs against the Council of the London Borough of Enfield.
 - The appeal was against the failure of the Council to issue a notice of their decision within the prescribed period on an application for an LDC for use of property as 8 separate self-contained flats.
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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 application was submitted on 12 February 2024 and the statutory eight week time period for determination ended on 8 April 2024. It is not unusual for a Council to fail to determine an application within the statutory time period and this could be for one of a variety of reasons. This is the reason why an Applicant can submit an appeal against non-determination of an application. The Applicant chose not to submit an appeal until 8 October 2024, 6 months after the end of the statutory period for determination of the application, and it was their decision to engage a consultant to act on their behalf. Nothing that has occurred has resulted from unreasonable behaviour by the Council and the Appellant has not therefore incurred unnecessary expense.
4. Unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not justified.

John Braithwaite

Inspector