



Costs Decision

Site visit made on 2 December 2025

by **Simon Hand MA**

an Inspector appointed by the Secretary of State

Decision date: 8th December 2025

Costs application in relation to Appeal Ref: APP/L5810/F/24/3342220 18 & 20 Hill Rise, Richmond, TW10 6UA

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 39, 89 and Schedule 3, and the Local Government Act 1972, section 250(5).
 - The application is made by Princesgate Estates Ltd for a full award of costs against Richmond Upon Thames London Borough Council.
 - The appeal was against a listed building enforcement notice alleging without listed building consent the application of a white render to the rear brick garden wall, Installation of four garden lights to the rear brick garden wall, Installation of four black electrical boxes to the rear brick garden wall, Installation of an artificial turf in the rear garden.
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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 appellant's case is essentially that the Council had applied a set of personal aesthetic judgements whereas there was nothing objectively wrong with the proposals. This led them to pre-judge the applications for listed building consent and fail to consider alternative approaches to the lighting, for example.
4. As is clear from my decision I did not agree the Council were being wholly subjective, although any decision as to the effect on a listed building must be subjective up to a point. The issue is whether there are good reasons to support such a view. In my view there were and I upheld the listed building enforcement notice unaltered. As the Council say *"that the appellant disagrees with some of the descriptive language in the officer report is not evidence of unreasonable behaviour"*. It follows the Council were not unreasonable, they did not pre-judge the application and were correct to issue the notice.
5. As to whether the council should have been more pro-active in the way they handled the listed building consent applications is not a matter before me. But I have no evidence of any alternative solutions put forward by the appellant, apart from the rather threatening suggestion that if they lost the appeal they would introduce more harmful arrangements that would not be subject to listed building control. That of course is entirely a matter for them.

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

Simon Hand

INSPECTOR