



Costs Decision

Site visit made on 20 November 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2025

Costs application in relation to Appeal Ref: APP/T5150/W/25/3373289

Land adjacent to 1-8 Oxford Place, London NW10 0DE

- 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 Sajad Al-Hairi (Log Creation) for a full award of costs against the Council of the London Borough of Brent.
 - The appeal was against the refusal of planning permission for the erection of a 3 bedroomed house being a car free development.
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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 (the PPG) advises that where a party has behaved unreasonably, and this has directly caused another party to incur unnecessary or wasted expense in the appeal process, they may be subject to an award of costs. The PPG further explains that an application for costs will need to clearly demonstrate how any alleged unreasonable behaviour has resulted in unnecessary or wasted expense.
3. Although costs applications may relate to events before the appeal, matters that are unrelated to the appeal are ineligible. In part, the applicant seeks the costs award in relation to planning application ref 24/3024. This application is not the one which is the subject of the appeal. Consequently, I find that the costs claim which relates to it is ineligible.
4. The applicant refers to other approved developments in the area, arguing they were not required to provide the same documentation or evidence as the appeal proposal. However, the full details of each of the cited developments are not before me. As a result, it is not possible to draw accurate comparisons between the demands placed on those schemes and those placed on the appeal proposal. Furthermore, on the basis of what is before me, the cited planning permissions were submitted to the Council several years ago, and the evidence indicates to me that the development plan policy context which now applies to the appeal proposal is not the same. The statutory framework for biodiversity net gain's biodiversity gain obligations have also only applied since April 2024.
5. In addition, in part, the applicant's focus on the Council's alleged inconsistent requirements relate to the likes of fire risk, which did not form the basis on which the Council refused the application the subject of the appeal. Therefore, the Council's submission requirements in this regard are unrelated to the matters

pertinent in the appeal and on which the applicant has been required to incur time and expense.

6. Therefore, it has not been clearly demonstrated to me that the Council determined the planning application in a manner unreasonably inconsistent with other cases. Furthermore, the PPG advises that where a local planning authority has refused a planning application for a proposal that is not in accordance with the development plan policy, and no material considerations including national policy indicate that planning permission should have been granted, there should generally be no grounds for an award of costs for unreasonable refusal of an application. It can be seen from my appeal decision that these very circumstances apply in this case.
7. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred, and an award of costs is not warranted.

H Jones

INSPECTOR