



Costs Decision

Site visit made on 2 December 2025

by K Mee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2025

Costs application in relation to Appeal Ref: APP/W2465/W/25/3374435

5 Westcotes Drive, Leicester LE3 0QT

- 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 Lorraine Harris on behalf of Leicester Property Solutions Ltd for a full award of costs against Leicester City Council.
 - The appeal was against the refusal of planning permission for development described as “conversion of 6 rooms HMO into 7 rooms 7 persons HMO”.
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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. Unreasonable behaviour on the part of a local planning authority may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well established case law, or not determining similar cases in a consistent manner.
4. The applicant contends that the Council failed to have due regard to the award of a House in Multiple Occupation (HMO) licence or to its own adopted standards for HMO's, which are material considerations that should have led to an approval of the application. The applicant also asserts that the Council failed to substantiate their reason for refusal with regards to the quality of the communal space and, as a result, the Council's conclusion was entirely based on the subjective opinion of the case officer rather than by any measurable or objective standards.
5. The Council has not responded directly to the application for costs. However, their delegated officer report, and subsequent appeal statement, outlines the basis for their conclusions. These state that the granting of a HMO licence is undertaken separate to the role as Local Planning Authority and that there are no planning standards against which to assess how large spaces within HMO's should be. The assessment was therefore based upon the development plan, national policy and other material considerations.
6. I have found in my appeal decision that the living conditions of the future occupants of the proposal would be acceptable. However, this was a matter of planning

judgment, and the Council has set out its reasoning for reaching a different conclusion in determining the application. While I do not agree with that conclusion, I do not consider that the Council acted unreasonably in refusing permission.

Conclusion

7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated. Consequently, the application for an award of costs is refused.

K Mee

INSPECTOR