



Costs Decision

Site visit made on 9 September 2025 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Costs application in relation to Appeal Ref: APP/R5510/W/25/3368002

71 Hercies Road, Uxbridge, Hillingdon UB10 9LU

- 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. T. Cunningham for a full award of costs against the Council of the London Borough of Hillingdon.
 - The appeal was against the refusal of planning permission to widen the existing vehicle access crossover, to provide a safer and more efficient access for vehicles.
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Decision

1. The application for an award of costs is refused.

Procedure

2. An Appeal Planning Officer has set out the recommendation below, to which the inspector has had regard before deciding the application.

Reasons and Recommendation

3. The Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party which has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The PPG states that awards may be either procedural in regard to behaviour in relation to completing the appeal process or substantive, which relates to the planning merits of the appeal. This application is made on both procedural and substantive grounds.
4. The applicant considers the Council acted unreasonably by not considering the potential hazard that the current misaligned crossover poses to pedestrians, particularly those with mobility issues and the risk to vehicles using the access. The risk of fines for vehicles driving across pavements is also highlighted. The Council maintains that there is no current safety risk. Whilst the access to the appeal property is currently misaligned, it is gently sloping with no tripping hazards and it is still possible to access the appeal property without mounting the kerb.
5. The Council have acknowledged that in their report they referred to the appeal property as a bungalow, when in fact the neighbouring property (73 Hercies Road) is a bungalow. It is clear from the Council's Statement of Case that its decision would have been the same despite the error when describing the appeal property and the appeal would not have been prevented.
6. I understand the applicant's frustrations due to the lack of consultation during and after the planning application process. Nevertheless, the Council are under no

statutory duty to consult on issues, changes or concerns. Their statutory duty is, amongst other things, to deliver a decision on a given development.

7. Whilst the applicant claims the Council did not apply planning policy correctly, the Council clearly identified policies they consider to be relevant, and sufficient detail was provided to demonstrate why they felt the proposed development did not accord with the development plan. Although I have reached a different decision to the Council, the Council's case is adequate and cannot be considered unreasonable.
8. For the above reasons, I conclude that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Therefore, I recommend the application for an award of costs is refused.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspectors Decision

9. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that a full award of costs is not justified in this case. The application for such is therefore refused.

K Allen

INSPECTOR