



Costs Decision

Site visit made on 6 January 2026

by **G Dring BA (Hons) MA MRTPI MAUDE**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2026

Costs application in relation to Appeal Ref: APP/L5240/W/25/3375507

56 Mayfield Road, Croydon CR2 0BF

- 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 J Szadlo for a full award of costs against the Council of the London Borough of Croydon.
 - The appeal was against the refusal of planning permission for alterations, conversion of existing dwelling to form 1x 3-bedroom and 4x 1-bedroom flats, erection of part single/two storey rear extension, two-storey side extension, enlargement of rear roof dormer, provision of additional rooflights and windows, and provision of associated vehicle parking and cycle and refuse storage.
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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. The applicant considers that the Council prevented or delayed development which should have clearly been permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
3. The applicant asserts that the Council introduced a new reason for refusal by not attributing weight to the fact there would only be the potential for one additional occupant when comparing the existing circumstances of the site with the proposed scheme. In asserting that Houses in Multiple Occupation (HMO) generate more car ownership than family dwellings, the applicant considers that the Council made vague, generalised or inaccurate assertions.
4. The Council produced an Officer Report (OR) which considered the proposal against development plan policies, national policy and other considerations. This articulated the Council's concerns, identified areas of conflict against specific policies, and these matters were summarised in the reasons for refusal.
5. The Council, in its appeal statement, reiterated points and provided explanation on matters already identified in its OR. The 'Parking and Highway Safety' section of the OR sets out the Council's calculation for parking demand and goes on to identify the issues it found with the level of parking proposed on site, the lack of information about the availability of on street parking and other concerns relating to the parking layout and crossover. In my view the Council did not introduce a new reason for refusal in its appeal submissions.

6. The Council has not referred to a HMO in its submissions and has only referred to the development as proposed, which was for the creation of five separate dwellings. The Council made a planning judgement on the likely demand for parking based on the number of separate households that would result from the proposed scheme rather than the uplift in the potential number of occupants. In my view this is a legitimate approach and follows the requirement of the relevant development plan policies.
7. The applicant also states that the Council misinterpreted the Vehicle Crossover Guidelines and also made errors when measuring the submitted drawings.
8. The OR does refer to the proposal as providing an additional crossover rather than an extension to an existing crossover. Whilst the submitted information could have been clearer, the dashed line on the proposed site plan does suggest the existing crossover would be extended as part of the scheme. In my decision I have not found particular harm in relation to the extension of the existing crossover, based on the evidence before me and when considering the local context. Nevertheless, this individual point did not outweigh my concern in relation to highway safety impacts overall.
9. Both parties have provided an annotated version of the proposed site plan with their appeal submissions. Both drawings provide different measurements. Nevertheless, based on the written evidence in combination with what I witnessed during my site visit I was able to make an assessment of the proposal. The difference in measurements identified by the parties has not been determinative in this case.
10. Even if the Council had considered the crossover as an extension rather than a second independent crossover, or measured the drawings differently, I find it unlikely that the Council would have taken a different approach in its decision making, due to the other reasons it raised for refusing the application. I therefore do not consider that the appeal would have been avoided on this basis.
11. The applicant states that the Council has not been consistent, referring to a scheme approved at 61 Mayfield Road for a similar development. In the appeal documents, the applicant has referred to 60 Mayfield Road, rather than no 61. The Council has clarified that whilst the scheme at No 60 was considered under the same local plan, it was considered under the previous version of The London Plan and as such the policy context was different. I also witnessed that it appeared that more parking spaces were provided at No 60, compared with what is proposed in the appeal before me and therefore there are differences between the two. I find that it does not follow that the appeal scheme should have been approved by the Council on the basis of the planning history of No 60.

Conclusion

12. I find that unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted. The application is refused.

G Dring
INSPECTOR