
Costs Decision

Site visit made on 18 December 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

Costs application in relation to Appeal Ref: APP/U5930/D/25/3375081 182 The Avenue, Chingford, Waltham Forest E4 9RD

- 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 Suleman Patel for a partial award of costs against the Council of the London Borough of Waltham Forest.
 - The appeal was against the refusal of planning permission for Proposed outbuilding to rear.
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Decision

1. The application for a partial 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 applicant states that the Council introduced a new reason for refusal at decision stage which related to concerns about the accuracy of the submitted drawings. The applicant also contends that the Council failed to engage constructively despite offers to reduce the size of the proposal.
4. The PPG outlines that a local planning authority may be at risk of a substantive award of costs if they prevent or delay development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations. The PPG also confirms that behaviour that could risk a substantive award of costs includes refusing to provide reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal.
5. Having reviewed the evidence before me, including relevant email correspondence, it is clear that the applicant was made aware that the Case Officer had some concern about the size of the proposal. Whilst it is unfortunate that the Council did not explicitly request a reduction in size, and did introduce a reason for refusal related to the accuracy of drawings, the National Planning Policy Framework (the Framework) does not oblige Councils to engage in discussions during the assessment of planning applications.
6. The submitted evidence indicates that the Council determined the application within statutory timescales. It was not under any obligation to agree further extensions of time in order to permit the applicant to provide drawings which could have been

submitted at the beginning of the planning application process. It is not the case that development that should have been permitted has been prevented or delayed.

7. The applicant states that the Council unreasonably considered that a full assessment of the proposal was not possible despite having sufficient drawings.
8. The Council's reason for refusal set out in the decision notice is complete, specific and relevant to the application with regards to these matters. These are matters of judgement, and although as is clear from my decision I disagree with their position on the submitted drawings, from the information before me I do not therefore find that it was unreasonable to refuse the application.

Conclusion

9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. A claim for costs is not therefore justified and accordingly it is refused.

B Pattison

INSPECTOR