



Costs Decision

Site visit made on 6 January 2026

by **Peter White BA(Hons) MA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 February 2026

Costs application in relation to Appeal Ref: APP/J0350/C/24/3340928

Land at 43 Telford Drive, Slough SL1 9LB

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Slough Borough Council for a full award of costs against Ms Michelle Amjad.
 - The appeal was against an enforcement notice alleging, without planning permission, the material change of use of a single-family dwelling house to two separate dwellings and facilitating works.
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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 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. In summary, the Council's case is that the burden of proof is on the appellant and appellant's evidence is anecdotal, ambiguous and unreliable. That there is a lack of documentary evidence and that handwritten "rent receipts" could have been corroborated by bank statements or HMRC returns. That much of the documentary evidence was addressed to 43 Telford Drive, not to 43a or 43b, and that there is no evidence in respect of the actual creation of 2 self-contained dwelling units and the continued use of these dwellings for a four year period.
4. In relation to the physical creation of 2 self-contained dwelling units I came to the view that the Council may have misunderstood some of the evidence related to the layout drawings and the HMO license.
5. I found some inconsistencies in the evidence, which reduced the weight I was able to attribute to aspects of it, but those were matters for my judgement. The appellant made his case, and understood that he must demonstrate a continuous four year period of the use on an appeal on ground (d). He provided evidence to support that case in relation to the unit he named as 43B, and that evidence covered a four year period.
6. Although in my appeal decision I found that the absence of evidence of occupation of the main house weakened the appellant's case, it was not unreasonable for the appellant to have believed that what was required was to provide information in relation to the new unit. Although I concluded that the appellant had not demonstrated with evidence that it was too late for the Council to take enforcement

action against the material change of use of a single dwellinghouse into two separate dwellings, he made a reasonable attempt to do so.

7. Unreasonable behaviour resulting in unnecessary or wasted expense has therefore not occurred.

Peter White

INSPECTOR