

Costs Decision

by J Whitfield BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2026

Costs application in relation to Appeal Ref: APP/V5570/X/23/3333853 76 Marlborough Road, London, N19 4NJ

- The application is made under the Town and Country Planning Act 1990 (the Act), sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Zaynal Abedin for a full award of costs against the Council of the London Borough of Islington (the LPA).
 - The appeal was against the refusal of a certificate of lawful use or development (LDC) for change of use to class C4 – HMO (House in Multiple Occupation).
-

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. The applicant argues that the LPA has behaved unreasonably because it did not obtain legal advice in coming to its decision on the LDC application and wasted expense has been incurred in submitting the appeal.
4. However, as can be seen from the appeal decision, I have found the LPA's decision was well-founded and that it correctly applied the relevant parts of the Act in reaching it. It follows that the LPA's behaviour was not unreasonable.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

J Whitfield

INSPECTOR