



Costs Decision

Site visit made on 28 October 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th February 2026

Costs application in relation to Appeal Ref: APP/W5780/W/25/3370784

4 Raven Road, South Woodford, London E18 1HB

- 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 Hossain Miah for a full award of costs against the Council of the London Borough of Redbridge.
 - The appeal was against the refusal of planning permission for change of use of ground floor Front Unit and Unit 3 from Industrial and Warehouse (B2 and B8) into a Gym / Fitness Centre (E(d)) with associated signage works. Convert disused electricity substation into secure cycle storage. Cladding and thermal upgrade to facade.
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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.
3. It is not uncommon for a council to rely on its officer report as its appeal statement, and the appeal questionnaire for councils expressly asks if the council intends to submit a statement of case or not. A council choosing not to submit a statement of case is not unreasonable behaviour in itself.
4. Paragraph 11 d) of the National Planning Policy Framework (the Framework) states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
5. Reference has been made to the Council's Employment Land Review, its Authority Monitoring Report, and the London Industrial Land Supply Study 2020. However, neither the Council nor the appellant has provided any of these documents with their appeal submissions. Based on the evidence before me, it therefore has not been demonstrated that the Council's conclusions were not based on up-to-date evidence. Furthermore, this does not negate the requirement to determine the proposal in accordance with the policies of the development plan. The Council made their assessment and came to their conclusions accordingly. I therefore have no reason to find that the Council's conclusions are unsubstantiated or vague.

6. Notwithstanding this, even if paragraph 11 d) was engaged, given the Council's concern about the loss of smaller units particularly, there is no guarantee that the Council would have concluded that the adverse impacts would not significantly and demonstrably outweigh the benefits.
7. It therefore seems to me that there is a fundamental disagreement between the parties which could only be resolved at appeal.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

D Ellis

INSPECTOR