



Costs Decisions

Site visit made on 10 February 2026

by **Stephen Hawkins MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Costs application in relation to Appeal Ref: APP/J0350/C/24/3341781

25 York avenue, Slough SL1 3HW

- 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 Mr Kashmira Singh.
 - The appeal was against an enforcement notice alleging without planning permission, the material change of use of the dwelling house to a large house in multiple occupation (sui generis use) by more than six persons.
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Costs application in relation to Appeal Ref: APP/J0350/C/24/3341782

25 York Avenue, Slough SL1 3HW

- 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 Mr Kashmira Singh.
 - The appeal was against an enforcement notice alleging without planning permission, the material change of use of the outbuilding with associated facilitating works and its use as a self-contained dwelling.
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Decisions

1. The applications for awards of costs are allowed in the terms set out below.

Reasons

2. Parties in planning appeals are normally expected to meet their own expenses. However, the Planning Practice Guidance (PPG) chapter on appeals advises that costs may be awarded where a party has behaved unreasonably and that behaviour has caused another party to incur unnecessary or wasted expenditure in the appeal process (paragraphs 028 and 030).
3. Paragraph 028 of the PPG advises that the aim of the costs regime is to encourage all those involved in the appeal process to behave in a reasonable way and follow good practice, both in terms of timeliness and in the presentation of full and detailed evidence to support their case. At paragraph 031, the PPG advises that 'unreasonable' has its ordinary meaning, as established by the Courts¹. Unreasonable behaviour can be either procedural-relating to the process, or substantive-relating to the issues arising from the merits of the appeal.
4. The Council sought awards of their costs in these appeals on what I take to be procedural and substantive grounds. The joint applications were made in writing, in accordance with the PPG at paragraph 035. In summary, the Council's case is

¹ *Manchester City Council v SSE & Mercury Communications Limited* [1988] JPL 774

- that although experienced in planning, property and housing matters, in both appeals the appellant supplied little evidence to support their claims. The appellant also made comments which were unreliable, inaccurate and wholly inconsistent with the Council's evidence. In doing so, they have pursued appeals and grounds of appeal that had no reasonable prospect of success.
5. At paragraph 052, the PPG advises that appellants are required to behave reasonably in relation to procedural matters on the appeal, for example by complying with the requirements and deadlines of the appeals process. It goes on to provide a non-exhaustive list of examples of unreasonable behaviour which may result in an award of costs on procedural grounds, which includes providing information that is shown to be manifestly inaccurate or untrue.
 6. The PPG in paragraph 053 advises that the right of appeal should be exercised in a reasonable manner. An appellant is at risk of an award of costs being made against them if the appeal or ground of appeal had no reasonable prospect of succeeding. The non-exhaustive list of examples of unreasonable behaviour set out in paragraph 053 confirms that in enforcement appeals, the onus of proof on matters of fact rests with the appellant.
 7. The appellant's supporting submissions in respect of these appeals cannot by any stretch of the imagination be described as full or detailed. The appellant supplied little documentary evidence which lent support to their claims. The appellant disputed factual information obtained by the Council during a visit to the appeal property in January 2024, when they had also been in attendance. Whilst accounting for the evident language barrier, it is difficult to accept that the appellant would not have been fully aware of the use being made of the property on the occasion of this Council visit. Then, in their final comments, the appellant made a series of assertions, largely unfounded and not supported by any relevant information, which sought to further dispute the Council's evidence.
 8. Failure by an appellant to discharge the onus of proof would not, in itself, amount to unreasonable behaviour. Even so, the appellant has pursued these appeals, initially with a paucity of supporting information and latterly by seeking to undermine the Council's case, which had a sound basis in precise and unambiguous evidence, through what might be regarded as misdirection. There is little in the appellant's case which withstands detailed, objective analysis. This all points to a failure on the appellant's part to substantiate their case, which in turn leads me to find that the appeals had no reasonable prospect of success.
 9. The appellant's actions therefore equate to the example of unreasonable behaviour relating to the substance of the matters in the appeals, taken from paragraph 053 and referred to above. The significant factual inaccuracies shown to be running through the appellant's submissions also points towards the appellant's actions equating to the example of unreasonable behaviour relating to the procedures in the appeals, taken from paragraph 052 and referred to above. The absence of any substantive response from the appellant to the costs applications does little to convince me to find otherwise.
 10. I am mindful that the appellant did not employ the services of a suitably experienced agent to represent them in the appeals and it is entirely possible they are not as experienced in planning and property matters as the Council suggested. Also, I understand that the appellant has a limited command of the English

language. However, none of those factors can fully absolve them from exercising the right of appeal in a responsible fashion.

11. The actions of the appellant in both appeals has led to the Council incurring unnecessary expenditure through having to undertake work to defend the enforcement notices. Such work would most likely have been minimised, or even avoided altogether, if the appellant had properly reviewed their case prior to making the appeals. Accordingly, the conditions for awards of costs at paragraph 030 of the PPG have been met.

Conclusion

12. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that awards of costs are justified.

Costs Order

13. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Mr Kashmira Singh shall pay to Slough Borough Council, the costs of the appeal proceedings described in the headings of these decisions; such costs to be assessed in the Senior Courts Costs Office if not agreed.

The Council is now invited to submit to Mr Kashmira Singh, details of those costs with a view to reaching agreement as to the amount.

Stephen Hawkins

INSPECTOR