
Costs Decision

Site visit made on 21 January 2026

by **T Burnham BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Costs application in relation to Appeal Ref: APP/Q5300/W/25/3373277 Garages, Beech Road, Southgate, Enfield N11 2DA

- 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 Martin Davis (Beechcastle Ltd) for a full award of costs against the Council of the London Borough of Enfield.
 - The appeal was against the refusal of planning permission for demolition of the existing garages and construction of residential dwellings, bicycle storage, refuse and recycling storage, disabled driver car parking bays, pedestrian access points and associated landscaping.
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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. The costs claim raises concerns that unreasonable behaviour was demonstrated by the Council on the grounds that it has failed to provide any justification for its reasons for refusal and as a result of the inclusion of its fourth reason for refusal relating to concerns over design, size, siting, scale, bulk and site coverage.
4. Planning Practice Guidance¹ outlines examples of behaviour that may give rise to a substantive award of costs against a Local Planning Authority. One such reason is the failure to substantiate each reason for refusal on appeal. The application decision in which members did not agree with an officer recommendation to approve the proposal was supported on the basis of the Council decision notice alone. This is not a common circumstance given that Local Planning Authorities generally supply an appeal statement in support of their case.
5. However, given that as can be seen from the Decision Letter that harm associated with the grounds identified in one of those refusal reasons has led to the dismissal of the appeal, I cannot conclude that the Local Planning Authority has unreasonably defended the appeal, given that in this particular circumstance I was able to understand the reasons for concern on the basis of the reasonably clearly drafted reasons for refusal.
6. With regard to the fourth reason for refusal, the minutes of the committee meeting at which it was determined that the application would be refused indicate that members were minded to refuse the application on the grounds that the proposal was an

¹ Gov.uk Guidance Appeals – Advice on planning appeals and the award of costs Paragraph: 049 Reference ID: 16-049-20140306.

overdevelopment of the site. That refusal reason also appears to have links to the refusal reasons on other matters. The minutes of the committee meeting with regard to this application are limited to just over an A4 page of text and I cannot be certain that these record every single matter that was discussed relating to the application.

7. For the above reasons I cannot conclude that the Council has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

Conclusion

8. Unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process has not occurred and an award of costs is not warranted.

T Burnham

INSPECTOR