



Costs Decision

Site visit made on 10 February 2026

by **T C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Costs application in relation to Appeal Ref: APP/J0350/C/24/3340753

2 Hinksey Close, Slough, SL3 8EB

- 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 Mr Ranjit Singh Janagal for a full award of costs against Slough Borough Council.
 - The appeal was against an enforcement notice alleging the material change of use of the land to two dwellinghouses, incorporating a side extension and a front extension.
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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. Firstly, this was not a difficult case for the Council to rebut, in that it primarily required that the Council counter the appellant's evidence as submitted, on his appeal made under ground (d). In this respect, reference to the photographs supplied by the appellant showing the construction works taking place between November 2019 and February 2020 give a clear indication that the material change of use with the creation of an additional dwelling had not commenced by 13 February 2020 (four years prior to the enforcement notice being issued).
4. Indeed, the appellant admits to this on the application form submitted to the Council in relation to application ref P/10466/009 whereby it is indicated that the change of use took place in November 2021. Instead, the appellant concentrates on his belief that the structures are immune and, in the words on his response to the Council's Statement, "the use can cease". The claim of immunity can only, therefore, relate to the fact that the side extension structure had been erected by 13 February 2020 although it was then far from ready for occupation as it would have yet to be fitted out for habitable purposes. As such, it appears obvious to me that the extension was not substantially complete at that date.
5. This would explain why the Building Control Completion Certificate was not issued until 6 January 2021. As such, the material change of use would apparently still not commence until the end of that year. Accordingly, it is obvious that the unauthorised development is not immune from planning control.

6. The only other substantive issue relates to whether the enforcement notice's required steps for compliance go beyond what is reasonably necessary to remedy any harm caused. Here, I have found that the Council failed to identify that there is potential for a fallback position, providing that the necessary modifications can be made to regularise matters.
7. Given the above, along with the stipulated six month compliance period, I have concluded that the appeal would still have ensued. As such, I am not convinced that unreasonable behaviour resulting in significant unnecessary or wasted expense, as described in the PPG, has been demonstrated.
8. I therefore refuse the application for an award of costs.

T C King

INSPECTOR