



Costs Decision

Site visit made on 12 May 2026

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2026

Costs application in relation to Appeal Ref: APP/G5750/C/24/3356838

21 Dorset Road, Forest Road, LONDON, E7 8PR

- 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 the Council of the London Borough of Newham for a full award of costs against Ms Rohima Rahman.
 - The appeal was against an enforcement notice alleging without planning permission the erection of a dormer extension, and without planning permission the installation of two air conditioning condensing units.
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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. All parties are expected to behave reasonably to support and efficient and timely process. However, the Planning Practice Guidance (the Guidance) advises that costs may be awarded against a party who has behaved unreasonably and the unreasonable behaviour has directly caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Awards of costs against appellants may either be procedural in regard to behaviour in relation to completing the appeal process, or substantive relating to the planning merits of the appeal. In this instance, the application by the Council for an award of costs against the appellant is made on substantive grounds and that it is the Council's position that the appeal was unnecessary and has resulted in wasted expense.
4. The Guidance explains¹ that there is a right of appeal against most local authority decisions on planning permission and other planning decisions, including those relating to enforcement matters. It cautions that before making any appeal the party seeking permission should first consider re-engaging with the local planning authority to discuss whether any changes would make the matter in question more acceptable. Parties that pursue an appeal unreasonably and without sound grounds for appeal are at risk of an award of costs against them.
5. In this particular instance the appeal was pursued despite on-going dialogue between the appellant and the local planning authority which, on the evidence before me, indicated clear advice from the local planning authority and which set out steps as an alternative to the continued pursuit of an appeal. The correspondence also shows that the appellant was seeking to comply with the requirements of the notice, as also shown in the content of the appellant's appeal submission regarding a possible reduction in the scale of the dormer roof extension and the removal (and re-siting) of the air conditioning condensing units.

¹ Paragraph: 001 Reference ID: 16-001-20140306

6. Nevertheless, I do not consider it unreasonable behaviour for the appellant to exercise the right to appeal. The appellant set out grounds to support the appeal which, whilst limited in their scope and depth, were sufficient to support the identified grounds. Although I have concluded that the appeal on those grounds should fail for the reasons set out in my decision, I do not share the Council's view that the appeal was without merit. Nor should the absence of rebuttal from the appellant to the application for an award of costs be demonstrative of unreasonable behaviour. As such, I conclude that the appellant has not acted unreasonably in the pursuit of the appeal and the application for an award of costs against the appellant must therefore fail.
7. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated and the application for costs is refused.

G Robbie

INSPECTOR