
Costs Decision

Site visit made on 2 June 2026

by **Mark Caine BSc (Hons) MTPL MRTPI LSRA**

an Inspector appointed by the Secretary of State

Decision date: 4 August 2026

Costs application in relation to Appeal Ref: APP/G5750/C/25/3358326

Land at 42 Disraeli Road, Forest Gate, London E7 9JP

- 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 Mr Ahmad Jamil of AJB International Ltd.
 - The appeal was against an enforcement notice alleging without planning permission, the material change of use of the premises to short term lets.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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 PPG confirms that an appellant is at risk of an award of costs being made against them if the appeal or ground of appeal has no reasonable prospect of succeeding. This may occur when, amongst other things, the development is clearly not in accordance with the development plan, and no other material considerations such as national planning policy are advanced that indicate the decision should have been made otherwise, or where other material considerations are advanced, there is inadequate supporting evidence.
4. No information to explain why the appellant considered the steps in the enforcement notice to be excessive or to detail any proposed lesser steps was provided under ground (f) of the appeal. In addition, nothing has been put forward by the appellant in respect of an assessment against the relevant development plan policies or national planning policy to justify the development under appeal ground (a). There were some general arguments advanced in respect of job creation, benefits to the economy, and improvements to guest communications and check-in times. However, these were not qualified by any supporting information or further details.
5. Accordingly, I consider the appellant's supporting evidence to be so inadequate that the appeal had no reasonable prospect of succeeding. As such, the appellant's right of appeal has not been exercised in a reasonable manner in the terms of the PPG and the Council's costs in defending the appeal were therefore unnecessarily incurred.

6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that a full award of costs is justified.

Costs Order

7. 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 Ahmad Jamil of AJB International Ltd shall pay to the Council of the London Borough of Newham, the costs of the appeal proceedings described in the heading of this decision.
8. The applicant is now invited to submit to Mr Ahmad Jamil of AJB International Ltd, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Mark Caine

INSPECTOR