



Costs Decision

Site visit made on 8 September 2026

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2026

Costs application in relation to Appeal Ref: APP/T5150/C/25/3359486

30 Randall Avenue, London NW2 7RN

- 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 Homes Holdings 2 Ltd for a full award of costs against the Council of the London Borough of Brent.
 - The appeal was against an enforcement notice alleging without planning permission, the material change of use of the premises to a House in Multiple Occupation (HMO).
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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 applicant's application for costs relies to a significant extent on their view that there is no breach of planning control and on matters concerning the Council's handling of its investigation.
4. The taking of enforcement action is discretionary. The PPG advises that, for enforcement action, local planning authorities must carry out adequate prior investigation and that they are at risk of an award of costs if it is concluded that an appeal could have been avoided by more diligent investigation.
5. In this case however, my decision explains why the appeal made against the enforcement notice failed. The breach of planning control occurred. The issued notice clearly identified the breach which, in my assessment, can be put down to a diligent investigation.
6. Whilst it is evident that the applicant is unhappy about the Council's approach to the investigation, I reject any view that this appeal could have been avoided by a more diligent investigation. There is nothing to indicate the Council's lack of discussion with the appellant could have avoided the issuing of the notice. Once the Council issued the enforcement notice, the applicant exercised their right of appeal to protect their interest in the land.
7. I appreciate that the outcome of the process will have been a disappointment to the applicant however, sufficient evidence was submitted to substantiate the reasons for taking enforcement action and my decision explains why the development is unacceptable.

8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Felicity Thompson

INSPECTOR