Planning Inspectorate

Costs Decision

Site visit made on 13 October 2026

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 16 November 2026

Costs application in relation to Appeal Ref: APP/F5540/X/25/3371055
13 Sarsen Avenue, Hounslow TW3 4JN

- 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 Sharath Shanagonda for a full award of costs against the Council of the London Borough of Hounslow.
- The appeal was against the refusal of a certificate of lawful use or development for a proposal described as a 'proposed loft conversion'.

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 indicates that local planning authorities are at risk of an award of costs if they behave unreasonably by the withdrawal of any reason for refusal or reason for issuing an enforcement notice.

4. The Council reconsidered the proposal at appeal stage. It accepted that the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres and that a certificate of lawful use or development should be granted. It therefore withdrew the sole reason for refusal.

5. Whilst the appellant submitted revised measurements that differed from those considered at application stage, these served only to confirm that the proposal remained below the relevant threshold. The Council has not explained why an accurate assessment could not have been undertaken before the decision was issued. In these circumstances, I consider that the withdrawal of the sole reason for refusal resulted in the appellant incurring unnecessary expense in pursuing the appeal.

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 the Council of the London Borough of Hounslow shall pay to Sharath Shanagonda, the costs of the appeal proceedings described in the heading of this decision.

8. The applicant is now invited to submit to the Council of the London Borough of Hounslow, 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