
Costs Decision

Site visit made on 13 January 2025

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2025

Costs application in relation to Appeal Ref: APP/C3430/W/24/3352399

New Pastures, Husphins Lane, Codsall Wood, Staffordshire WV8 1RN

- 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 David Jones for a full award of costs against South Staffordshire District Council.
 - The appeal was against the refusal of planning permission for 2 timber stables.
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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 states that the Council made the decision to refuse the application prior to the submission of the application. It is stated that this ultimately resulted in the submission of the appeal and costs incurred defending the appeal. In support of this the applicant has provided a copy of an email exchange between the application and the Council prior to the submission of the planning application in which the Council states that “a similar application is likely to be refused”.
4. Notwithstanding my decision in relation to the planning appeal I am satisfied that the Council have presented a suitably substantiated case in support of their decision which went into appropriate detail on why they found that the proposal was inappropriate development in the Green Belt and thus why they considered that the proposal would conflict with those aims of policy GB1 of the Core Strategy and the National Planning Policy Framework. The Council's decision was based on a recent site visit, the evidence submitted as part of the planning application as well as the relevant planning history. Given this I do not consider that there is clear evidence of the Council having predetermined the case.

Conclusion

5. I find that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated.

N Robinson INSPECTOR