



Costs Decision

Site visit made on 16 July 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

Costs application in relation to Appeal Ref: APP/H1840/W/25/3366009

Orchard Farm, Evesham Road, Norton, Evesham WR11 4TL

- 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 Mr Steve Warner for a full award of costs against Wychavon District Council.
 - The appeal was against a refusal to grant approval for "Prior Notification, Class Q for the Change of Use of Agricultural Building to two dwellings and associated works at Orchard Farm, Evesham Road, Norton, Evesham WR11 4TL."
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Decision

1. The application for an award of costs is refused.

Preliminary Matter

2. The appellant does not state whether a full or partial award is sought. Nonetheless, by reason of the information contained within the application, I have interpreted it as being one for a full award and have proceeded on that basis.

Reasons

3. 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.
4. The appellant contends that the Council has incorrectly applied the GPDO and the PPG. It is also alleged that the Council ignored revisions made to the scheme and instead repeated the 2024 reason for refusal, and that they made no reference to the appeal decisions in Pinvin.
5. The Council's delegated officer report (the officer report) provides background to the Council's decision to refuse the application, and in my view the essence of the Council's argument, that the scope of the building operations takes the scheme beyond Class Q, comes across clearly in the evidence. In particular, the officer report, and subsequent Statement of Case, goes into great detail, referring to the previous application at the site, relevant paragraphs of the PPG, the Hibbitt judgment, as well as other evidence provided by the appellant.
6. The PPG does say that internal works are not generally development. However, it does not say that internal works must therefore be excluded from any assessment as to whether or not a scheme would comprise a conversion under the terms of Class Q. As such, I do not consider that the Council's overall approach to be flawed

nor contrary to case law. Indeed, my approach to the appeal is similar to the judgement of the Council.

7. While the Council do not refer to the Pinvin case, they provide a series of other appeal decisions, including a previous Class Q scheme at the appeal site. In any event, Class Q is highly fact and site sensitive, and decisions that are made are often dictated by a multitude of site-specific circumstances. They are also often finely balanced, as is the case here. As such, although I would have expected the Council to refer to the Pinvin case, it is unclear how this has caused unnecessary expense to the appellant in the appeal process.
8. Overall, for the above reasons, an appeal could not have been avoided and unreasonable behaviour resulting in unnecessary or wasted expense has not occurred. Accordingly, an award of costs is not warranted.

N Bromley

INSPECTOR