
Costs Decision

Site visit made on 7 August 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 September 2025

Costs application in relation to Appeal Ref: APP/C3430/W/25/3360655

Awbridge House, Union Lane, Trysull, Wolverhampton, WV5 7JD

- 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 Parvinder Singh Gill for a full award of costs against South Staffordshire District Council.
 - The appeal was against the refusal of planning permission for the demolition of existing detached dwelling house & erection of replacement dwelling house with detached garage.
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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. In this instance, the applicant has set out that the Council did not take account of a previous planning permission to enable the conversion and extension of an existing garage block to form a second dwelling on site. However, the Council has clearly stated that they do not consider that there was sufficient evidence that the permission had been implemented. It does not appear to me that the Council acted unreasonably in this regard as their reasoning is clear. As part of my decision, I have not determined whether or not the previous permission is still extant. Instead, I have outlined that the proposal would be inappropriate development in the Green Belt, irrespective of whether or not the previous permission is taken account of. It therefore seems that an appeal was always an inevitable outcome.
4. The applicant has also referenced another application that was permitted closer to identified heritage assets. However, while I have not found harm in relation to heritage matters, I do not consider that the Council acted unreasonably by believing that further evidence was necessary. With regards to pre-application advice, this is not binding upon the Council, and they are entitled to reach a different conclusion when the application is submitted.
5. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR