
Costs Decision

Site visit made on 11 August 2025

by **Andrew Smith BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Costs application in relation to Appeal Ref: APP/J1860/W/25/3364189 Land at Picken End, Hanley Swan WR8 0DH

- 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 Beatrice Dadi on behalf of Worcestershire County Council against Oakfield Developments for a full award of costs against Oakfield Developments.
 - The appeal was against the refusal of planning permission for construction of 14 affordable dwellings comprising 4 x 1 bed, 4 x 2 bed and 6 x 3 bed houses with associated access, parking and landscaping.
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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 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 has alleged that the appellant behaved unreasonably by failing to produce an editable version of the Unilateral Undertaking (the UU) intended to be relied upon, which necessitated the separate production of a Schedule of Deficiencies.
4. It is unfortunate that an editable version of the UU was not provided upon request, which may have assisted an expedient and effective exchange of correspondence between parties. However, no duty applied for the appellant to provide said document in any particular prescribed format. Further, it can be fairly presumed that any suggested direct edits to the UU would have required associated explanatory text similar to that contained within the Schedule of Deficiencies. Thus, it has not been robustly demonstrated that unreasonable behaviour resulting in substantive and/or clearly calculable wasted additional expense has occurred.
5. As a further point, whilst the applicant has alleged the repeated submission of legally deficient documentation, it shall be seen from my decision upon the planning appeal to which this application relates that the submission of a fit for purpose UU was ultimately achieved.
6. Therefore, in the context set out above, an award of costs is not warranted.

Andrew Smith

INSPECTOR