



Costs Decision

Hearing held on 4 November 2025

Site visit made on 4 November 2025

by A Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Costs application in relation to Appeal Ref: APP/H1840/X/25/3368872 Long Carrant Park, Cheltenham Road, Ashton Under Hill, Worcestershire WR11 7QP

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Wychavon District Council for a partial award of costs against Silverstone Parks Ltd.
 - The appeal was against the refusal of a certificate of lawful use or development for the siting of four caravans in the area hatched red in addition to the lawful use of the site set out under W/23/00312/CLE.
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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 appellant's statement of case included an alternative argument that in the event that I find the proposed development would be in breach of conditions attached to the planning permission granted on appeal¹ the permission had in fact not been implemented. This was not an argument raised in the initial grounds of appeal. At the hearing, the appellant confirmed that they no longer wished to pursue this argument and would reserve their position on the matter pending the outcome of the appeal.
4. In addition, the appellant had initially made an argument that the 2023 LDC could be considered to confirm that the use of the site as a caravan park was lawful because it had been in use for more than 10 years. However, this argument was also not pursued at the hearing.
5. Whilst these arguments were no longer pursued at the hearing, this was following discussions amongst the parties and myself in an attempt to narrow down the matters in dispute. The appellant did not concede on either of these arguments, reserving their position for any possible future matters. The withdrawal of these arguments was clearly to assist in streamlining the hearing, allowing the remaining matters pertinent to the appeal to be discussed and the hearing to be heard in a

¹ Appeal reference APP/H1840/W/17/3190024

single day. I do not consider this to amount to unreasonable behaviour. Whilst the Council no doubt incurred wasted expense in preparing their case in relation to these matters, as it was not unreasonable of the appellant to withdraw them in the circumstances that they did, it does not justify an award of costs.

Other Matters

6. I note that in their rebuttal to the Council's application, the appellant raises matters in support of their appeal and the Council has responded. The costs regime is separate to the s195 appeal and therefore, for the avoidance of doubt, I have not taken these comments into consideration in my determination of the s195 appeal.

Conclusion

7. I therefore conclude that for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated. For this reason, an award for costs is therefore not justified.

A Walker

INSPECTOR