



Costs Decision

Site visit made on 8 December 2025

by A Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2026

Costs application in relation to Appeal Ref: APP/R1845/C/25/3359103

Land at Sheris Lodge, St Johns Lane, Bewdley, Worcestershire DY12 2QY

- The application is made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Onkar Chada for a full award of costs against Wyre Forest District Council.
 - The appeal was against an enforcement notice alleging the erection of a timber frame building within the curtilage of Sheris Lodge ("the Outbuilding") the replacement of opaque glazing units in a window, ("the Window"), at first floor on the northwest (side) elevation of the dwelling house with clear glazed units and the creation of a boundary feature comprising hedgerow and fence in excess of 0.6 meters in height above ground level, within 2 metres back from the near side edge of the carriageway (measured perpendicularly) along the nearside edge of the adjoining carriageway.
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Decision

1. The application for 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 Council's statement of case states, 'side facing windows in both side elevations of the building were altered less than four years before service of the enforcement notice'. However, the alleged breach of planning control only refers to a single window in the northwest elevation. Whilst clarification was sought from the Council as to whether they sought to enforce against two windows, the notice itself was unambiguously clear in seeking to enforce against a single window. Despite identifying this apparent inconsistency between the Council's statement and the notice, the appellant's appeal submission only related to the single window alleged in the notice. Therefore, the appellant wasted no expense in the appeal process in seeking to retain the only window referred to in the notice.
4. The notice made no reference to the erection of an extension in the alleged matters. However, the Council confirmed that the reason is that they are not seeking to enforce against any such extension. It is not unreasonable for the Council to not include operational development within an enforcement notice if they do not seek to enforce against it.
5. In respect of discussions between the parties prior to the enforcement notice being issued, these are not matters that relate to the appeal process. In any event, I have upheld the notice in respect of the boundary feature and the building and

therefore it was not unreasonable for the Council to have issued a notice in respect of these matters, or indeed the window. There is no evidence before me as to how the matters in dispute could have been resolved without the need for an enforcement notice to be issued.

6. Overall, I find the Council has not behaved unreasonably resulting in the appellant incurring unnecessary expense in the appeal process.

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