



Costs Decision

Site visit made on 27 January 2026

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 February 2026

Costs application in relation to Appeal Ref: APP/D4635/W/25/3373321

94 Codsall Road, Wolverhampton WV6 9QP

- 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 Support and Sustain Care Limited for a full award of costs against Wolverhampton City Council.
 - The appeal was against the refusal of planning permission for proposed change of use from a 6-bedroom dwelling (use class C3(a) - dwellinghouse) to residential accommodation for up to 3 children and young people between 2-18 years of age with a rotation of carers and other support staff on site (use class C2 - residential institution), and garage conversion and new window
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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. Unreasonable behaviour on the part of a local planning authority may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well-established case law, or not determining similar cases in a consistent manner.
4. The application is made on the basis that the Council has behaved unreasonably by making vague, generalised or inaccurate assertions about a proposal's impact, which were unsupported by any objective analysis.
5. The Council provided a comprehensive Officer Report and appeal statement which expanded upon the reason for refusal given in the Council's Decision Notice. Additionally, the Council consulted relevant consultees including Children's services who provided comments on the appeal scheme.
6. Given that the comments received formed part of the Council's overall analysis, as well as the detailed evidence before me provided by the Council in relation to housing targets and the supply of children's care accommodation, it follows that the Council has not made vague, generalised or inaccurate assertions about the proposal's impact, and has supported its conclusions with an objective analysis.
7. Therefore, the Council did not behave unreasonably in its assessment of the application.

Conclusion

8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

B Astley-Serougi

INSPECTOR