



Costs Decision

Site visit made on 16 March 2026

by **Mark Harbottle BSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2026

Costs application in relation to Appeal Ref: APP/C3430/C/24/3350953

Land at Levedale Road, Levedale, Staffordshire ST18 9AJ

- 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 South Staffordshire District Council for a full award of costs against Mr Mark Gripton.
 - The appeal was against an enforcement notice ("the notice") alleging the material change of use of the land for the permanent stationing of a caravan and associated domestic use of the land, such use not being incidental or ancillary to the use of the land as an allotment development.
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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 Guidance¹ 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 (the applicant in this decision) considers the appeal to be without merit and based on misinterpretation and misunderstanding of a 2015 appeal decision ("the 2015 permission").² It contends that this was unreasonable behaviour because the appeal was made with no legal basis and with no evidence, causing it unnecessary and wasted expense.
4. Mr Gripton (the respondent) states that he has not intentionally wasted the applicant's time and believes the notice could have been avoided if there had been more effective dialogue.
5. The most significant area of disagreement between the parties is whether the stationing, or more accurately the storage of a caravan on the land is within the scope of a use permitted by the 2015 permission. While I have found that permission was not for any use of the land, the respondent had explained his interpretation of it to the applicant more than once before the notice was issued. The applicant's response indicates that it also misinterpreted the 2015 permission, failing to appreciate that, as stated in the decision letter, it "was not for the use of the land but for the allotment buildings and structures."
6. Had the applicant not also misinterpreted the 2015 permission, it would have been able to explain why it did not permit any use of the land. If it had engaged in more

¹ <https://www.gov.uk/guidance/appeals#award-of-costs>.

² APP/C3430/W/15/3006045 allowed 1 September 2015.

effective dialogue in that way and noting that the respondent had indicated that he intended to remove the caravan from the land, it might not have been necessary to issue the notice.

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

Mark Harbottle

INSPECTOR