



Costs Decision

Site visit made on 27 January 2026

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Costs application in relation to Appeal Ref: APP/J4423/Z/25/3375760 61-63 High Street, City Centre, Sheffield S1 2GD

- The application is made under section 322 of the Town and Country Planning Act 1990, Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007, and section 250(5) of the Local Government Act 1972.
 - The application is made by Kings Tower for a full award of costs against Sheffield City Council.
 - The appeal was against erection of temporary externally illuminated building wrap advertisement to the southern, southwestern and part of the western elevations.
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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. It is put to me that the Council behaved unreasonably by failing to determine applications in a consistent manner and by seeking to place limitations on the content of the advertisement. In this regard, it is put to me that the Council unreasonably refused the application, and my attention has been drawn to an appeal costs decision¹ where a previous approval was not considered by the Council in that instance.
4. In the appeal before me, the Council did very clearly consider the previous approval² on the site, dedicating a section to it in its Officer Report. This distinguishes it from the appeal costs decision where, from the evidence before me, the planning history was left blank and not considered at all.
5. It is not unreasonable for the Council to, having the benefit of seeing the advertisement in situ for the approved temporary period, consider whether it was a 'correct' decision when assessing the appealed application for an identical scheme for a further temporary period. Nor is it unreasonable, having regard to paragraph four of the Regulations³, for the Council to consider whether a grant of consent could be made acceptable with limitations or restrictions relating to the subject matter, content or design of what is to be displayed.
6. It will be seen from my decision that I have found the scale of the advertisement in the scheme before me to be unacceptably harmful to the amenity of the area. In

¹ Ref: 3307157

² Ref: 22/02519/ADV

³ Town and Country Planning (Control of Advertisements) Regulations 2007

this regard, the Council has not refused an application that should have been permitted even though its decision was not consistent with its earlier approval. Accordingly, there has been no unnecessary or wasted expense in the appeal process.

Conclusion

7. For the reasons given above, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. The application for an award of costs is therefore refused.

Mr R Walker

INSPECTOR