



Costs Decision

Site visit made on 9 June 2026

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2026

Costs application in relation to Appeal APP/M9496/C/25/3364767

Agricultural field situated immediately adjacent to the highway B6054 to the East of Owler Bar, Holmesfield, S17 3BP

- 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 Dr Dawn Ward for a full award of costs against the Peak District National Park Authority.
 - The appeal was against an enforcement notice alleging, in summary, the siting of a former mobile library converted and being used as domestic accommodation including overnight, the construction of a wooden building to house a compost toilet, the construction of a wooden building used as a field shelter for sheep and the construction of a building.
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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 award against the Authority is made on the basis of the level of factually incorrect information and contradictions made by the Authority, inaccuracies in the information provided in the Notification of Appeal letter and the history used to implement the Enforcement Notice and hence a lack of evidence to support their reasoning.
4. The appellant also argues that the matter has been further confused by reference to "Sheds in fields off the B6054 500m to the east of Owler Bar" and the planning enforcement investigation numbers in the appeal notification letter. However, it is clear to me that the phrase is used as a way of identifying the address of the appeal site and accurately describes the location of the suite, although it is slightly different to the Land to which the Notice relates set out in paragraph 2 of the Notice.
5. In addition, the alleged breach identified in the Notification Letter dated 21 May 2025 is a summary of the wider breach which is clearly set out in the enforcement notice Ref: 18/0112 dated 28 March 2025. I do not agree that the details on the notification is misleading in any way or amounts to unreasonable behaviour. Additionally, there is little evidence that the details on the letter have led to unnecessary or wasted expense in the appeal process.

6. In their Statement the Authority refers to the relevant planning history of the site set out in the Delegated Enforcement Report, but the appellant is concerned that it is factually incorrect and irrelevant to the appeal site. I have given consideration to concerns relating to other land, ownership and reference to sheds and the Council's investigations, but do not find that the approach to determining the expediency of taking enforcement action nor the overall approach to formulating the enforcement notice is flawed or constitutes unreasonable behaviour.
7. The appellant also sets out that there is a lack of evidence to support the reasons for the Authority issuing the Notice, but the Delegated Enforcement Report clearly describes the appeal site and surroundings, alleged breach of planning control, the planning history of the site including previous and ongoing investigations, statutory framework for the National Park, relevant planning policies and guidance and has a detailed assessment of the development plan and how it specifically relates to the alleged breach of planning control. The report concludes that the unauthorised development conflicts with the development plan and national guidance with respect to protecting the landscape from development.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A A Phillips

INSPECTOR