



Costs Decision

Hearing held on 19 May 2026

Site visit made on 19 May 2026

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2026

Costs application in relation to Appeal Ref: APP/J4423/C/26/3377264 Samehill Farm and land to East, Hagg Lane, Sheffield S10 5PX

- 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 Ms Rachael Brownrigg of Medex Group Ltd for a full award of costs against Sheffield City Council.
 - The appeal was against an enforcement notice alleging a change of use to equestrian use and operational development consisting of the importation of aggregates and the laying of aggregates, the creation of hardstandings and the erection of buildings, fences and gates.
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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 applicant's application for costs was submitted in writing with additional points made orally at the Hearing. The application was made on the basis that the Notice is defective and cannot be corrected without injustice and had a timely review of the applicant's case been undertaken by the Council, the Notice could have been withdrawn and the appeal avoided. Moreover, the defects with the Notice could have been avoided if the Council had carried out a more diligent investigation.
4. The PPG says that "For enforcement action, local planning authorities must carry out adequate prior investigation. They are at risk of an award of costs if it is concluded that an appeal could have been avoided by more diligent investigation that would have either avoided the need to serve the notice in the first place or ensured that it was accurate."
5. As stated in my decision, the applicant was evidently aware from the Notice, what the Council considers they have done wrong and what they must do to remedy it, and were able to make out a comprehensive case. Whilst I found the allegation in respect of the use to be inaccurate, I concluded that it could be corrected without causing injustice to the applicant, and the Notice is neither a nullity nor invalid.

6. Accordingly, the applicant has not demonstrated that the Council has behaved unreasonably. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

Felicity Thompson

INSPECTOR