Planning Inspectorate

Costs Decision

Inquiry held on 22 to 25 September 2026 and 29 September to 2 October 2026

Site visit made on 24 September 2026

by A Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2026

Costs application in relation to Appeal A Ref: APP/F2605/C/25/3375850 Cherry Tree Farm, Cherry Tree Lane, Stow Bedon NR17 1BY

- The application is made under the Town and Country Planning Act 1990, sections 174, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Wayland Farms Limited for a partial award of costs against Mrs Ann Margaret Cuthbert.
- The inquiry was in connection with an appeal against an enforcement notice alleging:

  On 13th August 2019 planning permission was granted under reference 3PL/2017/0878/F to expand pig production to 6990 pigs, demolish some existing buildings (10 no) and erect 7 new pig sheds with roof fan ventilation and a new roof covering over existing manure store, subject to conditions. Condition 2 required that the development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of the decision notice.

  It appears to the Council that the condition has not been complied with because the new pig sheds authorized by permission 3PL/2017/0878/F have not been constructed in accordance with plans "Proposed and Existing South and East Elevations, ref 4", dated June 2017 and "Proposed and Existing North and West Elevations, ref: 5", dated June 2017. Both plans were approved under planning application 3PL/2017/0878/F dated 13 August 2019 and are listed under Condition 2 of that consent.

Costs application in relation to Appeal B Ref: APP/F2605/W/25/3375849 Cherry Tree Farm, Cherry Tree Lane, Stow Bedon NR17 1BY

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Wayland Farms Ltd for a partial award of costs against Mrs Ann Margaret Cuthbert.
- The inquiry was in connection with an appeal against the refusal of planning permission to 'expand pig production to 6990 pigs. Demolish some existing buildings (10No.) and erect 7 new pig sheds with roof fan ventilation, new roof covering over existing manure store' without complying with a condition attached to planning permission Ref 3PL/2017/0878/F, dated 13 August 2019.

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 confirms that the application is advanced only in the alternative, if I do not consider the applicant's application for a full award of costs against the Council to be justified.

4. As I have allowed the applicant's application for a full award of costs against the Council, the contingency upon which this application was advanced has not arisen. In those circumstances it is unnecessary for me to consider the substantive merits of the application.

5. For this reason, the application is refused

A Walker

INSPECTOR