



Costs Decision

Site visit made on 15 February 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 March 2024

Costs application in relation to Appeal Ref: APP/F9498/W/23/3324108

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr David James (Brean Beach Holiday Parks Limited) for a full award of costs against Exmoor National Park Authority.
- The appeal was against the refusal of planning permission for the proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking/turning area with 6 no. parking bays, with a double EV charging point, recycling/waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment.

Lynmouth Holiday Retreat, Manor Farm, Lynton, Devon EX35 6LD

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. In this instance, the applicant has set out that the Council's planning committee acted unreasonably in refusing the application contrary to officer advice. However, the committee is not bound by officer advice. While I have allowed the appeal, and therefore disagree with the committee's conclusions, it was not unreasonable for the committee to have determined that, in their view, the proposal would lead to harm.
4. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

C Butcher

INSPECTOR