



Costs Decision

Site visit made on 19 May 2025

by **C Cresswell BSc (Hons), MA, MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Costs application in relation to Appeal Ref: APP/D0840/W/24/3356726

Land off Twelveheads Road, Chacewater, Cornwall

- 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 Darran Goldby for a full award of costs against Cornwall Council.
- The appeal was against the refusal of permission in principle for the construction of a dwelling.

Decision

1. The application for an award of costs is dismissed.

Reasons

2. The appellant argues that the Council did not correctly apply its own policies, particularly the Chief Planning Officer's Advice Note which is designed to help with the interpretation of Local Plan Policy 3. However, in my view, what constitutes 'infill' or 'rounding off' in the context of the development plan and the Advice Note is partially subjective and so requires planning judgement.
3. Hence, the Council was entitled to exercise its own judgement when interpreting Policy 3. Relatively detailed reasons were provided in both the Officer Report and Council's Appeal Statement to explain why the proposal was not considered to be in conformity with the policy, or the Advice Note. Reference was also made to the Neighbourhood Plan, which shows the site as being outside the settlement boundary and, by implication, within the countryside. It therefore seems to me that the Council has adequately justified its stance on this matter.
4. The Council's arguments relating to landscape harm and some other matters were relatively light on detail. However, even though the proposal was for permission in principle, it was still reasonable for the Council to assume that development of the site would alter its existing appearance. Hence, potential effects on heritage assets or the landscape could be inferred. I therefore consider that the Council acted reasonably with regard to these matters.
5. I note that the Council appear to have determined the application at a late stage in the process. However, the reasons for refusal are substantiated by evidence in the Officer's Report and Council's Appeal Statement.
6. I therefore conclude that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated.

C Cresswell

INSPECTOR