



Costs Decision

Site visit made on 23 October 2025

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2025

Costs application in relation to Appeal Ref: APP/D0840/W/25/3367803

Treworra Barton, Davidstow PL32 9XY

- 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 Ethan Cowdery for a full award of costs against Cornwall Council.
 - The appeal was against the refusal of the Council to grant planning permission for conversion of a barn to a dwelling.
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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 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 states that the Council has acted unreasonably in its reasons for refusing planning permission. However, assessment of character involves judgement. Moreover, the Council substantiated its reason for refusal with reference to relevant local and national policy. Also, the Council defended its decision during this appeal process. While I may have disagreed with the Council's judgement on this matter, I find no evidence that it has acted unreasonably such that it has caused wasted expense to the applicant in pursuing an appeal.
4. It is asserted that the Council's assessment in this case is confusing. However, 'openings' and 'glazing' are not uncommon terms for windows. In any event, it was clear in the officer's report and the Council's appeal statement that the Council's concerns related to proposed windows in the rear of the appeal property. I find no evidence that the Council's reasoning was vague or confusing.
5. The applicant highlights that the Council is unable to demonstrate an appropriate housing land supply and therefore paragraph 11 of the National Planning Policy Framework (the Framework) is relevant. The officer's report submitted in this appeal shows that the Council applied the planning balance required under this paragraph of the Framework.
6. Although the applicant asserts that the officer did not conduct a site visit, this is disputed by the Council. The evidence shows objective analysis of the site and the impact of the proposal. Accordingly, I find no reason to question the Council's account of this matter.

7. In light of the above it has not been demonstrated that the Council has behaved unreasonably during the application process or in refusing planning permission in this case. As a result, I find that the behaviour of the Council has not led to the applicant incurring unnecessary or wasted expense in the appeal process for the reasons outlined above.
8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A J Sutton

INSPECTOR