



Costs Decision

Site visit made on 6 January 2026

by **H Nicholls MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Costs application A in relation to Appeal Ref: APP/Q1153/W/25/3373159 Harling Farm, Bere Alston PL20 7JD

- 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 & Mrs W Richardson for a full award of costs against West Devon Borough Council.
 - The appeal was against refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
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Costs application B in relation to Appeal Ref: APP/Q1153/W/25/3373159 Harling Farm, Bere Alston PL20 7JD

- 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 West Devon Borough Council for a full award of costs against Mr & Mrs W Richardson.
 - The appeal was against refusal to grant consent, agreement or approval to details required by conditions of a planning permission.
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Decisions

1. Costs application A is refused.
2. Costs application B is refused.

Reasons

3. 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.

Costs application A

4. The applicants' (Mr and Mrs Richardson) application for an award of costs against the Council is made on the basis that there was a lack of co-operation and engagement during the processing of the appeal application and that the Council has made misleading statements in relation to its ecologist and landscape officer having reviewed the submissions for all conditions 7, 8 and 9. It is also claimed that the level of service in relation to the applications made on the wider holding has been unacceptable, in part because the Council does not meet its timescales and, on seeking help on one particular occasion, the applicants received a particularly unhelpful response.
5. Whilst I note that the original planning permission for this appeal application was subject to a relatively lengthy determination process, I am also mindful that it

spanned over a timeframe which was complicated by the effects of service interruption following the COVID pandemic. Limited information has been provided to me in relation to other applications made by the applicants and the way in which they were processed by the Council. In any event, I am required to consider whether unreasonable behaviour has occurred in relation to the processing of this particular appeal.

6. Though the Council did not engage with the appellant and could have been more helpful in the first instance when the inexperienced applicants approached the Council about the discharge of conditions, it did at least meet the determination timeframes in the case of the appeal application. The applicants' discontent expressed in relation to the conditions themselves is irrelevant as the application had been made to discharge them and the relevant vehicle to vary or entirely remove planning conditions is under S73 of the above Act.

Costs application B

7. The Council's application for costs is made on the basis of the unreasonable nature of the Appellants' applications, comprising both the appeal and costs applications, and the unnecessary and wasted expense put upon the public purse in the Council needing to respond, at least to the latter.
8. In respect of the appeal application, I do not consider that it was unreasonably made as outlined in my separate decision. Whilst the submission could have been more clearly collated to respond to the conditions, the content provided sufficiently covers the conditions imposed relative to the scale and nature of the development. It is not evident that the appellants sought to avoid complying with the conditions or intentionally commenced development in breach thereof.

Conclusion

9. In conclusion, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and neither full nor partial awards of costs are warranted in either case.

H Nicholls

INSPECTOR