



Costs Decision

Site visit made on 11 February 2026

by **B Astley-Serougi BA(Hons) LLM MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2026

Costs application in relation to Appeal Ref: APP/D0840/W/25/3371560

Higher Penderleath Caravan & Camping Park, Higher Penderleath Resort, Road Between Penderleath Common And Penderleath, Penderleath, Cornwall TR26 3AF

- 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 Tommy Harris for a full award of costs against Cornwall Council.
 - The appeal was against the refusal of planning permission for siting of manager's accommodation.
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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 (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. Unreasonable behaviour on the part of a local planning authority may include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, acting contrary to, or not following, well-established case law, or not determining similar cases in a consistent manner.
4. The application is made on the basis that the Council has delayed development that should otherwise have been permitted, given its accordance with national and local policies and has not produced evidence to substantiate the reason for refusal, and has made a generalised, inaccurate assertion about the impact of the proposal, unsupported by objective analysis.
5. It will be seen from my decision that I disagree with the Council regarding the design of the development and its effect on the surrounding area including the Cornwall National Landscape (the CNL) in terms of character and appearance.
6. Based on the evidence before me, the Council has had due regard to the Lawful Development Certificate issued in June 2024. Nevertheless, the effect of the proposed development on the character and appearance of the surrounding area including the CNL, is a matter of planning judgement and therefore the Council has not acted unreasonably in this regard.
7. Given all of the above, I conclude that the Council did not act unreasonably in its assessment of the application.

Conclusion

8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

B Astley-Serougi

INSPECTOR