



Costs Decision

Site visit made on 29 June 2026

by J Woolcock BNatRes MURP PGDipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2026

Costs application in relation to Appeal Ref: APP/D0840/W/25/3375136

Land Adjacent Wind Turbine, Station Road, Camelford, Cornwall PL32 9TX

- 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 Geothermal Engineering Ltd for a full award of costs against Cornwall Council.
 - The appeal was against the refusal of planning permission for a geothermal power plant including site preparation, drilling of two deep geothermal wells, resource testing, construction of a binary cycle power station and subsequent operation.
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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. In summary, the applicant considers that Cornwall Council lacked understanding of the proposal given reference to drill rigs in the plural, when there would only be one on site at any given time during the temporary drilling and testing phases. Two of the three elements of the reason for refusal are temporary in nature, fully removable and entirely controllable by way of appropriately worded condition. No mention of cumulative impacts was made during the application process. The visual harm could be appropriately managed by a condition securing the implementation of a Landscape Management Plan for the lifetime of the development. It is not contested that there would be a degree of harm, more that this harm is clearly outweighed by the benefits of the proposal, and that harm can be mitigated by way of condition. As such, unreasonable behaviour was displayed in refusing the application on landscape grounds, despite the expert advice to the contrary.
4. The Council's response to the application states that it placed significant weight on the observations contained in the relevant landscape character assessments, which highlight the pressure associated with numerous renewable energy schemes within the locality. It was also noted that Members of the Planning Committee were provided with a PowerPoint presentation of the proposal showing its visual impact within the landscape and its relationship to adjoining development including Worthyvale Manor. This Grade II* manorial centre forms an important component of the landscape, and such concerns were likely to be in the forefront of Members' minds given their local knowledge of the area and volume of local opposition.

Notwithstanding officer recommendation for approval, Members were adequately informed to make a subjective judgement on landscape harm and harm to a heritage asset.

5. For the reasons set out in my appeal decision, I have come to a different judgement about the likely effects of the appeal scheme on the character and appearance of the area, on nearby heritage assets, and with respect to the planning balance that applies in this case. But it was not unreasonable for the Members of Cornwall Council, having the benefit of a technical briefing, to exercise their judgement in the way that they did on these matters. Given the local planning authority's application of policy, it was not unreasonable for Members to conclude that the harm it identified could not be overcome by the imposition of planning conditions. Furthermore, I consider that the Council's case at appeal did not lack substance. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

J Woolcock

INSPECTOR