



Costs Decision

Site visit made on 10 March 2021

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2021

Costs application in relation to Appeal Ref: APP/R0335/W/20/3261893 Bewes Stud, Prince Albert Drive, Ascot SL5 8AQ

- 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 Mrs Ann Purcell for a full award of costs against Bracknell Forest Borough Council.
 - The appeal was against the refusal of planning permission for use of land for the provision of 5 residential park homes following demolition of existing buildings and menage.
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Decision

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

Reasons

2. Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may only 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's application for costs is based on the alleged unreasonable behaviour of the Council and wasted expense, for procedural reasons, as considered below.
4. The applicant's planning application was considered at the meeting of the Council's Planning Committee, held online on the 10 September 2020. After the officers committee presentation and members debate on the applicant's planning application, a member of the committee put forward an alternative motion (also referred to as the Blue Sheet) which was read out in full to Planning Committee. The alternative motion was supported by Planning Committee and the applicant's application was refused.
5. The applicant has raised concerns about the timing and preparation of the Blue Sheet and based on these, alleges that the member of Planning Committee who moved the alternative motion, predetermined the planning application.
6. However, in providing advice in relation to cost applications, the PPG¹ identifies types of behaviour which may give rise to a procedural award against a local planning authority. These are in relation to procedural matters at the appeal. Accordingly, any concerns the applicant may have about the Council's

¹ Paragraph: 046 Reference ID: 16-046-20140306

decision-making processes in the determination of her application and the responses from Councillors after that decision was made are for the Council.

7. In light of the above, I conclude that unreasonable behaviour resulting in unnecessary expense, as described in the PPG, has not been demonstrated. Therefore, a full award of costs is not justified.

M Aqbal
INSPECTOR