



Costs Decision

Site visit made on 11 October 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2023

Costs application in relation to Appeal Ref: APP/R0335/W/22/3307948 Abbey House, Grenville Place, Bracknell RG12 1AN

- 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 Equinox Living for a full award of costs against Bracknell Forest Council.
 - The appeal was against the refusal of planning permission for the erection of an additional third floor storey to the existing building together with extension at second floor level to create a further six residential units (4 x 2 bedroom and 2 x 1 bedroom) and ancillary development.
-

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.
1. The applicant submits, in summary, that the Council has acted unreasonably in that it provided vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis. This is alleged to have resulted in wasted time and cost.
2. In respect of the planning decision, I have noted the Council's reasons for refusal. These are specific and relevant to the application. The Council also clearly states the policies of the development plan which the proposal is considered to conflict with. These reasons, in my view, have been adequately substantiated. Moreover, the planning committee is entitled to take a different view to that of planning and specialist officers. It is my view that the application for costs essentially relates to a disagreement about legitimate matters of planning judgement.
3. It is evident from the main decision that I have disagreed with the Council's reason for refusal. Nevertheless, I am satisfied that the Council's overall determination of the application, and its reasoning, were credible and that it was entitled to reach the decision it did. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

A Price

INSPECTOR