



Costs Decision

Site visit made on 27 May 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Costs application in relation to Appeal Ref: APP/R0335/W/25/3361391 12 Dukes Ride, Crowthorne, RG45 6LZ

- The application is made under the Town and Country Planning Act 1990 (as amended), sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Robert Young Associates (Hungerford) Ltd on behalf of Simon Butterworth for a full award of costs against Bracknell Forest Council.
 - The appeal was against the refusal of planning permission under section 78 of the Town and Country Planning Act 1990 for the front part of the ground floor reverted to Class E Commercial Business Service Office Use, retention of rear ground floor flat as approved in principle per permission 19/00403/FUL. Installation of new shopfront and provision of rear parking, bin stores, and cycle storage.
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Decision

1. The application for a full award of costs is refused.

Reasons

2. The Planning Practice Guidance 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. The Applicant asserts that the Council took an unnecessarily and unreasonably long period of time to determine the application. However, the time taken to consider the application is not related to the costs incurred at appeal. Similarly matters relating to the Council's procedures for public speaking at Committee meetings have no bearing on the appeal costs. I have noted the costs incurred by the Applicant whilst waiting for the Council's decision, but these are not matters I can take into account in considering this costs application.
4. There have been a number of planning applications for alternative developments at the site, which were set out by the Council in its Officer's report, albeit that the refusal of planning permission and subsequent planning appeal for development at the rear of the site (20/00864/OUT and APP/R0355/W/21/3274877) appeared to have been addressed in most detail. However, I am satisfied that the Council addressed the issues relating to the proposal before them in considerable detail, and in particular highway matters, and setting out their views on whether or not these proposals would result in concerns relating to highway safety and whether or not the proposals were in accordance with the provision of the development plan and the National Planning Policy Framework. Whilst in respect of highway matters, I have reached a different conclusion, there is nothing before me to indicate that the Council acted unreasonably.

5. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

L J Evans

INSPECTOR