
Costs Decision

Site visit made on 27 November 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Costs application in relation to Appeal Ref: APP/T0355/W/25/3373439

Long Lane Farm, Ascot Road, Holyport, Maidenhead SL6 3LG

- 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 Mr William Doyle for a full award of costs against the decision of the Council of the Royal Borough of Windsor & Maidenhead.
 - The appeal was against the refusal of planning permission for the repositioning and widening of the existing farm access.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

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 appellant submits that the Council has failed to substantiate the reason for refusal, ignored relevant professional advice and prevented development that should clearly have been permitted.
 4. For the reasons set out in my main decision, I accepted the appellant's arguments that the scheme would not result in harm to highway safety. I therefore concluded that the appeal should be allowed, although this in itself does not indicate unreasonable behaviour on the part of the Council.
 5. I appreciate that the Planning Committee is not bound by the recommendations of its officers, and so was entitled to take a contrary view in refusing the planning application. Nonetheless, the applicant had a reasonable expectation that this contrary view would be fully substantiated.
 6. The Council's concerns relate to the response from the Highway Authority at the application stage. Although this raises a number of issues, ultimately the summary acknowledges that an identical application has already been approved, and therefore the comments are "a recommendation for the RBWM Planning Authority to pursue". Conditions and informatives are then suggested.
 7. I am of the view that the Highway Authority response is not robust enough as to warrant the refusal given the background and imposition of appropriate conditions. Nonetheless, it was open for the Council to pursue these points prior to the Committee meeting. A simple email drawing the attention of the appellant to the
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comments would have allowed for clarification to be provided in advance of the presentation to Members. Although it would not have altered the outcome of this costs application, it may have offered Members some comfort that all highways matters had been addressed and avoided the refusal and resultant appeal altogether. To my mind, the Council therefore also failed to exercise due diligence in dealing with this issue.

8. As there is no robust argument before me to support the highway safety concerns at appeal, I find that the Council has failed to demonstrate that the scheme would be inconsistent with development plan policy. It is apparent that in refusing this proposal the Council has not substantiated the reason for refusal, ignored relevant professional advice and prevented development that should clearly have been permitted. This has led the applicants to incur unnecessary and wasted expense dealing with this matter on appeal. As a result, I conclude that unreasonable behaviour resulting in unnecessary expense, as described in the PPG, has been demonstrated and a full award of costs is justified.

Costs Order

9. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the Council of the Royal Borough of Windsor & Maidenhead shall pay to Mr William Doyle the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
10. The applicant is now invited to submit to the Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

C Hall

INSPECTOR