



Department for
Communities and
Local Government

Mr Les Stephen
Les Stephen Planning Ltd
Unit 9
Sweetlake Business Village
Shrewsbury
SY3 9EW

Our ref: APP/Y3425/W/16/3149840

22 December 2016

Dear Mr Stephen

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78 AND 320
APPEAL BY MR N HAWLEY OF MOORE FAMILY TRUST
LAND AT SHENLEY COTTAGE, MAIN ROAD, LITTLE HAYWOOD, STAFFORD
APPLICATION REF: 15/22731/OUT**

APPLICATION FOR AN AWARD OF COSTS

1. I am directed by the Secretary of State to refer to the enclosed letter notifying his decision on the appeal as listed above and summarised below:

Appeal against the decision of local authority to refuse planning permission for residential development of 60-65 dwellings, open space and access in accordance with application ref: 15/22731/OUT dated 31 July 2015.

2. This letter deals with your client's application for a full award of costs against Stafford Borough Council. The application as submitted and the Council's response are recorded in the Inspector's Costs Report (CR), a copy of which is enclosed.
3. In planning cases, the parties are normally expected to meet their own expenses, and costs are awarded only on grounds of unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process. The application for costs has been considered in the light of the Planning Practice Guidance, the Inspector's costs report, the parties' submissions on costs, the written representations and all the relevant circumstances.

4. The Inspector's conclusions are stated at paragraphs 15 - 20 of her costs report. She recommended that your client's application for a full award of costs be refused.
5. Having considered all the available evidence, and having particular regard to the Planning Practice Guidance, the Secretary of State agrees with the Inspector's conclusions in her report and accepts her recommendation. Accordingly, he has decided that a full award of costs against the Council, on grounds of 'unreasonable behaviour', is not justified in the particular circumstances. The application is therefore refused.
6. This decision on your application for an award of costs can be challenged under section 288 of the Town and Country Planning Act 1990 if permission of the High Court is granted. The procedure to follow is identical to that for challenging the substantive decision on this case and any such application must be made within six weeks from the day after the date of the Costs decision.
7. A copy of this letter has been sent to Stafford Borough Council.

Yours sincerely,

Richard Watson

Authorised by the Secretary of State to sign in that behalf