



Ministry of Housing,
Communities &
Local Government

Date: 4 November 2019

Our ref: APP/W3710/W/18/3217924

Debbie Farrington
Cerde Planning
5-7 High Street
Sutton Coldfield
West Midlands B72 1XH

Dear Madam,

LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEAL BY BELLWAY HOMES WEST MIDLANDS LIMITED
AT THE LONG SHOOT, LAND NORTH OF GREENDALE ROAD, NUNEATON
CV11 6EU
APPLICATION: REF 035623

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.
2. This letter deals with your client's application for a partial award of costs against the Council. The application as submitted and the Council's response are recorded in the Inspector's Costs Report, a copy of which is enclosed.
3. In planning inquiries, 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 inquiry papers and all the relevant circumstances.

Maria Stasiak Decision Officer
Planning Casework Unit
Ministry of Housing, Communities & Local Government
3rd Floor, Fry Building
2 Marsham Street
London, SW1P 4DF

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4. The Inspector's conclusions are stated at CR25-29 and CR34. She recommended that your client's application for 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 an 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 Nuneaton and Bedworth Borough Council.

Yours faithfully,

Maria Stasiak

Maria Stasiak
Authorised by the Secretary of State to sign in that behalf