



Ministry of Housing,
Communities &
Local Government

Our ref: APP/P5870/W/19/3241269

Alan Gunne-Jones
Planning & Development Associates,
118 Pall Mall,
London, SW1Y 5ED

By email: a.gunnejones@plandev.co.uk

25 March 2021

Dear Sir

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEAL BY WATES CONSTRUCTION LTD
AT LAND AT FORMER ALL-WEATHER PITCH AND ASTRO TURF TENNIS
COURTS, ROSEHILL RECREATION GROUND, ROSE HILL, SUTTON SM1 3HH
APPLICATION REF: DM2019/00985**

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 full 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.
4. The Inspector's conclusions are stated at CR2.14-2.19. She recommended that your client's application for a full award of costs be refused.

Mike Hale, 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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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 the Council.

Yours faithfully,

MA Hale

Mike Hale

This decision was made by the Secretary of State and signed on his behalf