



Department for Levelling Up,
Housing & Communities

20 November 2023

Avison Young
Norfolk House
7 Norfolk Street
MANCHESTER
M2 1DW

Our refs:
APP/F2360/W/22/3295498
APP/F2360/W/22/3295502

Dear Sir/Madam

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEALS MADE BY TAYLOR WIMPEY AND HOMES ENGLAND
PICKERING'S FARM SITE, FLAG LANE, PENWORTHAM,
LANCASHIRE PR1 9TP
APPLICATION REFS: 07/2021/00886/ORM & 07/2021/00887/ORM**

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 appeals as listed above.
2. This letter deals with your clients' application (relating to both appeals) for a partial award of costs against South Ribble Borough Council (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 CR23-38. He recommended that your clients' application for a partial award of costs be refused.

Phil Barber, Decision Officer
Planning Casework Unit
Department for Levelling Up, Housing & Communities
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 his report and accepts his recommendations. Accordingly, he has decided that a partial award of costs against the Council, on grounds of 'unreasonable behaviour', is not justified in the particular circumstances. The application is therefore refused in respect of both appeals.
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,

Philip Barber

Decision officer

This decision was made by Felicity Buchan MP, Parliamentary Under Secretary of State for Housing and Homelessness on behalf of the Secretary of State, and signed on her behalf