



Ministry of Housing,
Communities &
Local Government

Birmingham City Council
Planning and Development
PO Box 28
1 Lancaster Circus
Birmingham
B1 1TU

Our ref: APP/P4605/W/18/3192918

Date: 24 July 2019

By email only

Dear Sirs

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEAL MADE BY BLOOR HOMES (WESTERN)
LAND AT SITE OF FORMER NORTH WORCESTERSHIRE GOLF CLUB LTD,
HANGING LANE, BIRMINGHAM B31 5LP
APPLICATION REF: 2017/02724/PA**

APPLICATION FOR A PARTIAL 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 application for a partial award of costs against Bloor Homes (Western). The application as submitted and the developer'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 CR31-51. He recommended that your application for a partial award of costs be refused.

Jean Nowak, Decision Officer
Planning Casework Unit
Ministry of Housing, Communities & Local Government
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2 Marsham Street
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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 recommendation. Accordingly, he has decided that a partial award of costs against the developer, 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 Bloor Homes (Western).

Yours faithfully,

Jean Nowak

Jean Nowak

Authorised by the Secretary of State to sign in that behalf