

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
PLANNING COURT

CO/1324/2017

BETWEEN

R(oao PETER PRESTON)

Claimant

and

EAST CAMBRIDGESHIRE DISTRICT COUNCIL

Defendant

LFP McCANN

Interested Party



CONSENT ORDER

UPON the Claimant having applied for judicial review of the Defendant's decision to grant approval for application no. 16/01121/FUM of 3.2.17 and having regard to the statement of reasons set out below.

BY CONSENT IT IS ORDERED THAT:

1. Permission to proceed with judicial review is granted;
2. The Claimant's claim is allowed;
3. the Council's decision of 3.2.17 to granting permission for application no. 16/01121/FUM is quashed; and
4. the Defendant shall pay the reasonable costs subject to detailed assessment on the standard basis if not agreed.

Signed by


Richard Buxton Environmental & Public Law, Solicitors for the Claimant

Signed by


East Cambridgeshire District Council, the Defendant

Signed by



LFP McCann, the Interested Party

Statement of Reasons

By the Court

1. On 3.2.17, the Defendant granted permission for application no. 16/01121/FUM in relation to the change of use of agricultural land to industrial (class B2) use and erection of a concrete manufacturing facility, with associated engineering and accommodation work and extension to an existing building and travelling crane rails at land North of 190 Wisbech Road, Littleport, Cambridgeshire.
2. The Claimant challenged the Defendant's decision by way of a pre-action protocol letter of 7.3.17 which set out three grounds of review. Having considered the grounds raised by the Claimant, the Defendant accepts that ground one is made out and is prepared to consent to judgment on this basis.
3. Further, and without prejudice to the parties' positions in all other respects, the parties agree that decision no. 16/01121/FUM of 3.2.17 should be quashed on the basis of ground 1 as set out in the Claimant's letter of 7.3.17.

RECEIVED

25 MAY 2017

BY: _____