

Order approved by Ms Justice Long
9.9.17. Jay An Long

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

CO 13650/2017

R (oao ELIZABETH INGLIS AITKEN)

Claimant

and

LONDON BOROUGH OF EALING

Defendant

and

RAY GREEN

Interested Party



CONSENT ORDER

UPON the Claimant having applied for judicial review of the Defendant's decision of 27.6.17 to grant approval for application no. 172233FUL and having regard to the statement of reasons set out below.

BY CONSENT IT IS ORDERED THAT:

1. Permission for judicial review be granted;
2. The decision of the Defendant, London Borough of Ealing, dated 27 June 2017 granting planning permission for construction of a fifth storey to accommodate five self-contained flats and associated balcony amenity space, at the site Greystoke Court, Hanger Lane, Ealing, W5 1EN, reference 172233FUL be quashed;
3. The Defendant pay the Claimant's costs of this application for permission for judicial review to be subject to detailed assessment if not agreed.

Signed by Richard Buxton 22.8.17
Richard Buxton Environmental and Public Law Date

Signed by J. Adams 17/8/17
London Borough of Ealing Date

Signed by Ray Kelly (Agent) 20/08/17
Ray Green c/o RPR Planning Ltd Date
on behalf of applicant
Mr Ray Green

By the Court

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10:00 AM

Statement of Reasons

1. On 27.6.17, the Defendant granted permission for application no. 172233FUL in relation to the construction of a fifth storey to accommodate five self-contained flats and associated balcony amenity space, at Greystoke Court, Hanger Lane, Ealing, W5 1EN.

2. The Claimant challenged the Defendant's decision by way of issuing judicial review proceedings on 8 August 2017, 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 such that planning permission decision under reference 172233FUL should therefore be quashed. As set out in the grounds of claim, ground one related to the Interested Party completing the planning application with Certificate A regarding ownership of the site in question as opposed to Certificate B which should have been completed confirming notification on all other relevant owners/leaseholders.

3. The parties reserve their respective positions in relation to the other grounds of claim.