

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



The Queen on the application of:  
Vince Harrington

Claimant

-and-

Braintree District Council

Defendant

-and-

Colin Hart

Interested Party

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**CONSENT ORDER**

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UPON READING the claim form and materials filed herein

AND UPON the parties consenting hereto

BY CONSENT IT IS ORDERED that

1. Permission for judicial review is granted.
2. The Defendant's decision of 16 September 2020 to grant planning permission for planning reference 20/01142/FUL is quashed.
3. The Defendant pay the Claimant's reasonable costs of and associated with this application for judicial review in the sum of £5,000 including VAT.

SIGNED

Paul Taylor Richard Buxton Solicitors for the Claimant  .....	 Governance Lawyer for the Defendant  .....	 Interested Party  .....
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Reason: as set out in the claim form and papers, the Defendant accepts that the decision under challenge was made *ultra vires* because, contrary to the Defendant's constitution and Scheme of Delegation, it was made under delegated authority by an officer, rather than being determined by Members, in circumstances where the Parish Council had objected.

BY THE COURT