

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

BETWEEN:

THE QUEEN (on the application of THOMAS KEATING)

Claimant

-and-

EAST SUFFOLK COUNCIL

Defendant

-and-

DANIEL MERRELLS

Interested Party



CONSENT ORDER

Before Tim Corner QC sitting as a Deputy High Court Judge

UPON the parties agreeing that the claim should be allowed for the reasons in the statement of reasons below, it is ordered with the consent of the parties that:

1. The claim is allowed.
2. The planning permission dated 13 October 2020 under reference DC/19/2195/FUL is quashed.
3. The Defendant shall pay the Claimant's costs of the claim in the amount of £12,000.

Signed

A handwritten signature in black ink, appearing to be 'Richard Buxton', written over a dotted line.

On behalf of Richard Buxton Solicitors, for the Claimant

Signed *M. J. Slater*

On behalf of the Defendant



Signed*Tim Corner*

On behalf of the Interested Party

Statement of reasons

1. The Defendant accepts that it failed to adequately consider the direct and indirect environmental effects of the poultry manure produced by the Permitted Development and the odour arising from its removal and spreading, contrary to the EIA Directive 2011/92/EU, as amended by EIA Directive 2014/52/EU and the Town and Country Planning (Environmental Impact Assessment) Regulations 2017/571 (EIA Regulations).

Approved by Tim Corner QC 11/01/2021

Tim Corner QC