

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT
PLANNING COURT
IN THE MATTER OF AN APPLICATION FOR JUDICIAL
REVIEW**

Claim No:
CO/2869/2020

BETWEEN:

THE QUEEN
on the application of
COUNCILLOR ANDREW COLE Claimant

-and-

NORTH SOMERSET COUNCIL Defendant

-and-

MR STEPHEN BISHOP Interested
Party



CONSENT ORDER

UPON the parties having agreed to these terms and the statement of reasons in the Schedule

BY CONSENT
IT IS ORDERED THAT:

1. Permission to apply for judicial review is granted;
2. The Defendant's decision of 14 May 2020 to grant planning permission for application reference number 20/P/0285/FUL ("the Permission") for planning permission for the 'demolition of existing house, workshop and outbuildings and erection of 4 no. new dwellings' at Wallflower House, 30 Coronation Road, Bleadon, Weston-super-Mare be quashed for the reasons stated in the attached Schedule and the matter be remitted to the Defendant for redetermination;
3. There be no order as to costs.

Dated September 2020

Signed:

[Redacted Signature]

Mrs S Buck - Solicitor
North Somerset Council
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

Ref: SMB/LS042983
Solicitor for the Claimant

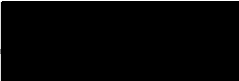
[Redacted Signature]

Mr N P Brain - Solicitor
The Head of Legal & Democratic
Services
North Somerset Council
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

Ref: NPB/WC
Solicitors for the Defendant

Approved
[Redacted Signature]
2/10/2020

HH Judge Jarman QC


Mr Stephen Bishop
Raymont Property Development Limited
Linden House
39a The Glebe
Wrighton
BS40 5LX

The Interested Party

SCHEDULE

- I. The Parties agree to the quashing of the decision of 14 May 2020 on the basis of the grounds pleaded by the Claimant in their Statement of Facts and Grounds that the document was issued by mistake and without authority and subject to the following:
 - a) The Defendant issued an incorrect decision notice on 14 May 2020; the decision notice purporting to grant planning permission contained refusal reasons and is a nonsense in that it purports to grant consent subject to "the following condition[s]" where no conditions are stated and where refusal reasons appear and is therefore unclear
 - b) The Defendant had not properly carried out an authorised officer delegated decision under the Defendant's Constitution or in accordance with the statutory requirements made under Section 70 of the Town and Country Planning Act 1990 as amended.
 - c) The quashing of the defective notice ensures clarity for the applicant and for the public record and will operate in the interests of good administration by remedying the unclear documentation.