

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

Claim no.: AC-2024-LON-002520



IN AN APPLICATION FOR JUDICIAL REVIEW

AC-2024-LON-002520

BETWEEN:

SEND PARISH COUNCIL

Claimant

and

GUILDFORD BOROUGH COUNCIL

Defendant

and

HAWKSMOOR HOMES LIMITED

Interested Party

~~SENT~~ CONSENT ORDER

UPON the Claimant's application for Judicial Review

AND UPON the Claimant, Defendant and Interested Party agreeing the terms of this order

BY CONSENT IT IS ORDERED THAT:

1. The planning permission granted by the Defendant contained within a Decision Notice dated 12 June 2024 under reference 22/P/01966 be quashed.
2. The planning application under reference 22/P/01966 be remitted for reconsideration by the Defendant.
3. The Defendant pay the Claimant's reasonable costs in a sum to be assessed if not agreed.
4. The Defendant shall make an interim payment in respect of the Claimant's costs in the sum of £10,000 within 21 days of this Order.

Dated this 08th day of January 2025

We consent to an Order in the above terms on behalf of the parties named below.



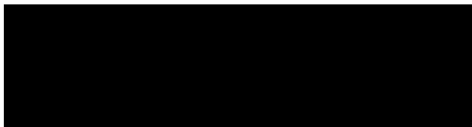
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Solicitors for the Interested Party

BY THE COURT

Approved By DHCJ Dan Kolinsky KC
13/01/2025

Schedule of Reasons

1. The Claimant advances three grounds of challenge in this judicial review claim as set out in the Statement of Facts and Grounds:
 - (1) The Defendant failed to have regard to development plan policy (LPDMP Policy D13) which applies to proposed development in the Corridor of the River Wey.
 - (2) Ground 2 –The Defendant failed to take account of further material considerations, namely: (a) the National Trust's planning guidance on the River Wey Navigations and the Conservation Area, and (b) the Defendant's own conservation area officer's objection.
 - (3) Ground 3 –The Defendant failed to give adequate reasons for its decision.
2. Permission to proceed on Grounds 1, 2(b) and 3 was granted by Dan Kolinsky KC sitting as a deputy High Court Judge on 3 December 2024.
3. The Defendant concedes that the Decision should be quashed on the basis of Grounds 1 and 3.