

IN THE HIGH COURT OF JUSTICE
ADMINISTRATIVE COURT (THE PLANNING COURT)

CO/4090/2020

In the matter of an application for judicial review

BETWEEN:

THE QUEEN
- on the application of -
CAMILLA SAUNDERS

Applicant

- v -

POWYS COUNTY COUNCIL

Respondent

- and -

MR THOMAS PRICE

Interested Party



Draft / CONSENT ORDER

UPON the Claimant having applied for Judicial Review of the Defendant's decision of 25 September 2020 granting planning permission for the erection of 2 no. poultry buildings and associated infrastructure at Llanshay Farm, Knighton LD7 1LW (ref. 19/0743/FUL) ("the Decision");

AND UPON the order of 23 December 2020 granting permission to apply for Judicial Review;

AND UPON the parties having agreed the terms of this Order for the reasons set out in the attached Schedule

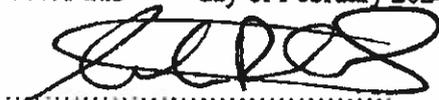
BY CONSENT IT IS ORDERED THAT:

1. The claim is allowed for the reasons set out in the attached schedule;
2. The challenged Decision is quashed;
3. The Defendant shall pay the Claimant's costs of this claim in the amount of £20,500.00 including VAT within 14 days.

SCHEDULE

1. The Claimant challenges the Defendant's decision of 25 September 2020 ("**the Decision**") granting planning permission for the erection of 2 no. poultry buildings and associated infrastructure at Llanshay Farm, Llanshay Lane, Knighton, Powys, LD7 1LW (ref. 19/0743/FUL) (the "**proposed development**").
2. The Defendant conceded that the decision should be quashed on the basis of part of Ground 3 of the Claimant's claim. Specifically, the Defendant accepts that there was no evidential basis for the Defendant's Officer's conclusion that the impacts on amenity from the proposed development would be acceptable because the fields were unlikely to be spread with manure from the proposed development more than twice per annum.
3. We confirm agreement to an Order in the terms set out above.

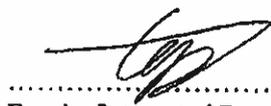
Dated this 1st Day of March 2021
~~day of February 2021~~


.....
Solicitors for the Claimant

Date: 1/3/2021


..... (COZIN EDWARDS)
Solicitor For the Defendant, Powys County Council

Date: 26/02/2021


.....
For the Interested Party, Mr Thomas Price

Date: 24-02-21