

FOI Reference Number: FOI/080/1920

Date: 27 June 2019

Request:

All of the below questions relate to judicial reviews of planning permission from 2016-2018. Please answer in the formats provided below

1. How many judicial review claims of decisions to award planning permission/consent were received in (a) 2016, (b) 2017, and (c) 2018

Year	Number of claims
2016	
2017	
2018	

2. What were the planning application numbers/references of the decisions that were subject to judicial review claims?

Year	Application Numbers
2016	
2017	
2018	

3. Of the judicial review claims received, how many proceeded to a substantive hearing?

Year	Number proceeded to hearing
2016	
2017	
2018	

4. Of the judicial review claims, how many resulted in either a Consent Order or planning decision being withdrawn?

Year	Consent Order issued/Decision withdrawn
2016	
2017	
2018	

5. Of the successful claims, how many resulted in either a quashing order being issued?

Year	Quashing Order issued
2016	
2017	
2018	

6. How much was spent by the council on carrying out judicial reviews in 2016, 2017 and 2018?

Year	Average spent
2016	
2017	
2018	

7. For each of the claims detailed above, please provide details on the reasons why a judicial review claim was made:

Application/Reference number	Reason(s)

Response:

Thank you for your information request which Mid and East Antrim Borough Council received on 06 June 2019.

Please find below Mid and East Antrim Borough Council's response to the information you requested in relation to judicial reviews of planning permission.

1. How many judicial review claims of decisions to award planning permission/consent were received in (a) 2016, (b) 2017, and (c) 2018

Year	Number of claims
2016	
2017	1
2018	2

2. What were the planning application numbers/references of the decisions that were subject to judicial review claims?

Year	Application Numbers
2016	
2017	F/2013/0244/F
2018	LA02/2018/0226/O, LA02/2018/0296/O

3. Of the judicial review claims received, how many proceeded to a substantive hearing?

Year	Number proceeded to hearing
2016	
2017 F/2013/0244/F	Withdrawn
2018 LA02/2018/0226/O & LA02/2018/0296/O	Leave Hearing still to be held

4. Of the judicial review claims, how many resulted in either a Consent Order or planning decision being withdrawn?

Year	Consent Order issued/Decision withdrawn
2016	0
2017	0
2018	0

5. Of the successful claims, how many resulted in either a quashing order being issued?

Year	Quashing Order issued
2016	0
2017	0
2018	0

6. How much was spent by the council on carrying out judicial reviews in 2016, 2017 and 2018?

Year	Average spent
2016	0
2017	£28,110.30
2018	0

7. For each of the claims detailed above, please provide details on the reasons why a judicial review claim was made:

Application/Reference number	Reason(s)
F/2013/0244/F	Planning Committee failed to give valid reasons for setting aside officers recommendations
LA02/2018/0226/O & LA02/2018/0296/O	Failed to take account of Building on tradition. Failed to apply policy CTY8

If you are dissatisfied with the handling of part of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Chief Executive at the Braid Ballymena Town Hall, 1-29 Bridge Street, Ballymena, BT43 5EJ.

Please remember to quote the reference number FOI/080/1920 in any future communications.

If you are not content with the outcome of an internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Please be advised that Mid and East Antrim Borough Council may release the response to this information request into the public domain via our website at <https://www.midandeantrim.gov.uk/>.

If we publish our response to your request, your personal data will be removed to protect your privacy.