

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
BUSINESS LIST (ChD)



DEPUTY MASTER LINWOOD

BL-2021-001644

14 OCTOBER 2021

Claim No. BL-2021-001644

B E T W E E N:

FASTGLOBE (MASTICS) LIMITED

Claimant

-and-

SOUTH HAMS DISTRICT COUNCIL

Defendant

CONSENT ORDER

UPON the application of the Claimant by letter dated 12th October 2021

AND UPON the Claimant being the registered freehold proprietor of three adjacent parcels of land and buildings at Weirfields, Totnes, under HM Land Registry title numbers DN415314, DN168957 and DN55970 (together "the Site")

AND UPON the Defendant being the local planning authority for the area in which the Site is situate

AND UPON the Defendant including the Site within the Totnes Neighbourhood Area when designating the same pursuant to s. 61G of the Town and Country Planning Act 1990

AND ON READING the Claimant's Details of Claim dated 8th September 2021 and the witness statement of David Seaton dated 7th September 2021

AND the parties having agreed terms.

BY CONSENT IT IS DECLARED THAT:

1. The South Hams District Council Community Right to Build Order for Totness Neighbourhood Area 2017 (“the Order”) has lapsed.
2. That the development of the Site for which planning permission was granted by the Order cannot be constructed lawfully without a further and separate grant of planning permission.

AND BY CONSENT IT IS ORDERED THAT:

3. There be no order for costs.
4. This Order shall be served by the Claimant on the Defendant

Service of the Order

The Court has provided a sealed copy of this Order to the serving party: Fishman Brand Stone Solicitors at 70 Baker Street London W1U 7DJ (ref AP/FAS).