

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**PLANNING COURT**

**CO/5129/2018**

**BEFORE MR NEIL CAMERON QC Sitting as a Deputy Judge of the High Court**

**BETWEEN:**

**LONDON BOROUGH OF BRENT**

*Appellant*

-and-

**(1) SECRETARY OF STATE FOR HOUSING, COMMUNITIES  
AND LOCAL GOVERNMENT**

**(2) OAKINGTON MANOR PRIMARY SCHOOL**

*Respondents*



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**ORDER**

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**UPON HEARING** Dr Ashley Bowes for the Appellant, Mr Westmoreland-Smith for the 1<sup>st</sup> Respondent and Mr Henderson for the 2<sup>nd</sup> Respondent,

**IT IS ORDERED THAT:**

1. The 2<sup>nd</sup> Respondent's appeal under s.174 Town and Country Planning Act 1990 be remitted back to the Secretary of State for re-hearing and determination in accordance with the opinion of the Court.
2. The 1<sup>st</sup> Respondent do pay the Appellant's costs of bringing the appeal, to be assessed on the standard basis if not agreed.
3. Permission to appeal is refused.

Dated: 10<sup>th</sup> June 2019

*By The Court*

