

39 from 39
Symmetry in the Supreme Court

Richard Harwood KC
Victoria Hutton

The Borough

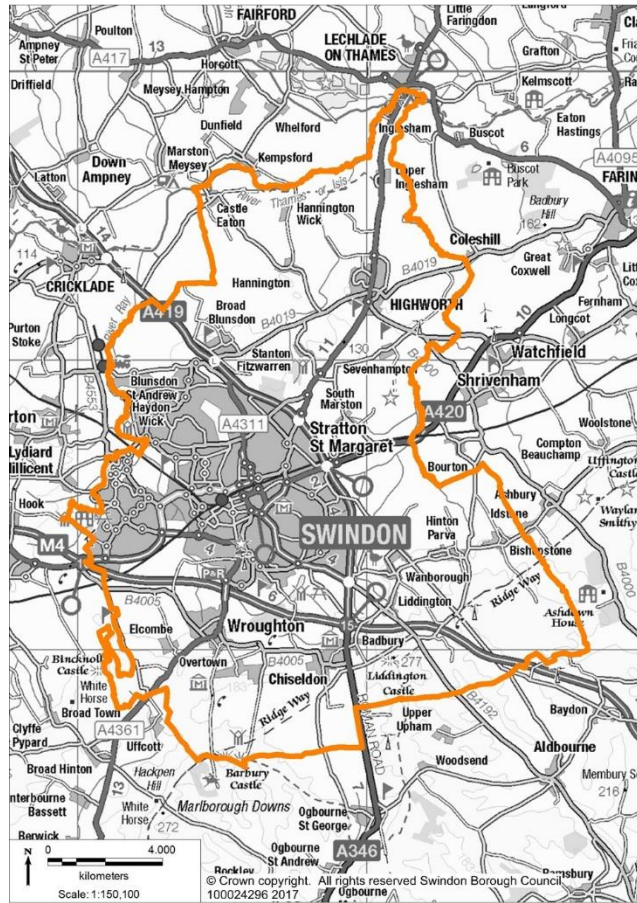
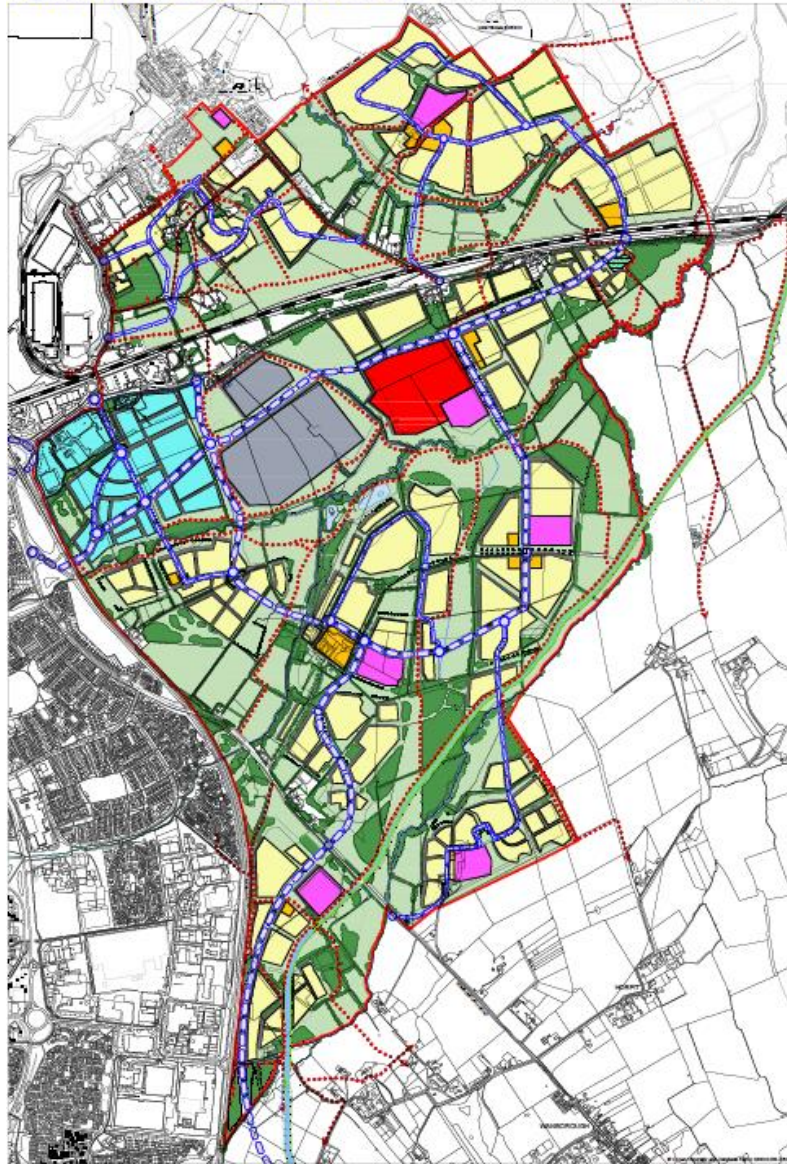
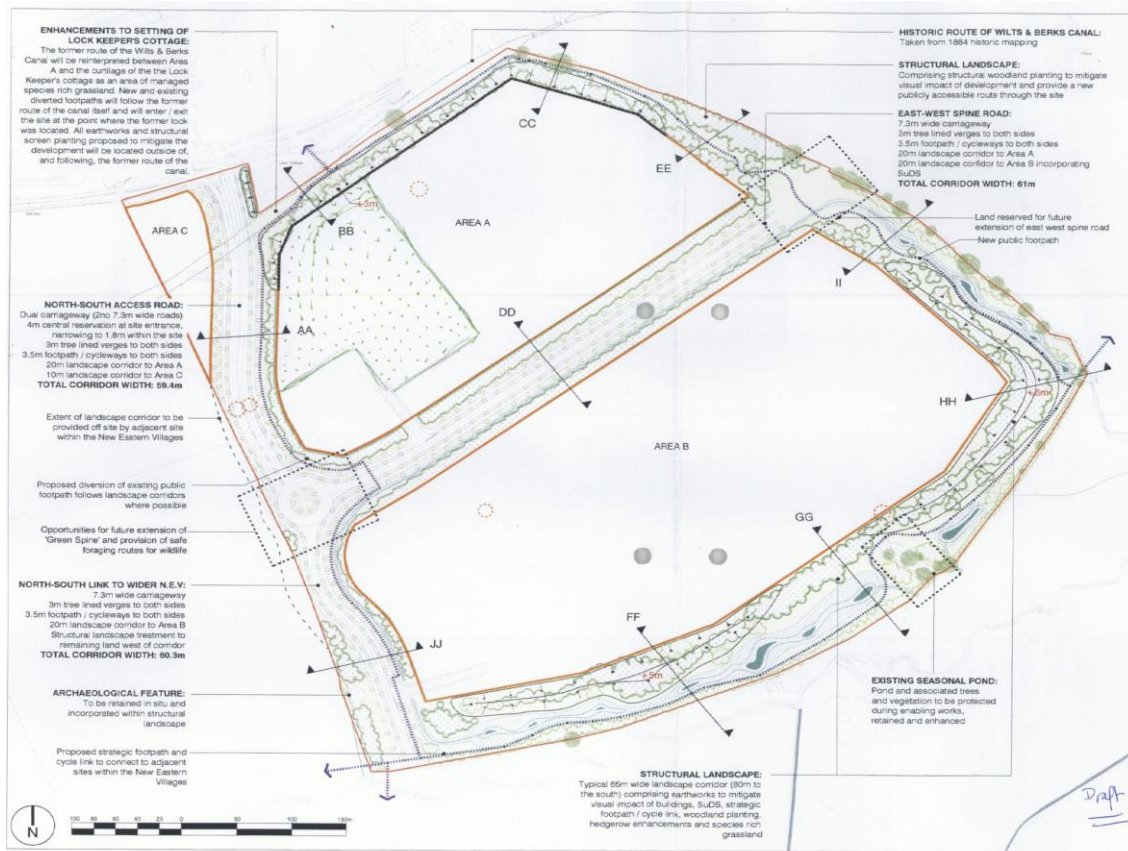


Figure 1: NEW EASTERN VILLAGES Draft Illustrative Masterplan



The NEV

The Scheme



The permission

- Application documents identified the access roads as highways for interconnection with the rest of the NEV
- Condition 39:

Roads

The proposed access roads, including turning spaces and all other areas that serve a necessary highway purpose, shall be constructed in such a manner as to ensure that each unit is served by fully functional highway, the hard surfaces of which are constructed to at least basecourse level prior to occupation and bringing into use.

Reason: to ensure that the development is served by an adequate means of access to the public highway in the interests of highway safety.

The judgments

- *Swindon Borough Council v Secretary of State for Housing, Communities and Local Government* [2019] EWHC 1677 (Admin), [2020] R.T.R. 21
- *D B Symmetry v Swindon Borough Council* [2020] EWCA Civ 1331, [2021] P.T.S.R. 432
- *D B Symmetry v Swindon Borough Council* [2022] UKSC 33