

Judicial Review Update

Christ's College Library, Cambridge

Claim: AC-2025-LON-004656 | First application: 25/02161/FUL | Second application: 26/02109/FUL

Christ's Lane Action Group (CLAG) challenged Cambridge City Council's November 2025 decision to grant planning permission for the Christ's College Library scheme. The challenge concerned the way heritage harm, Historic England's advice, public benefits and alternatives were presented to Planning Committee. Mr Justice Kimblin granted permission on all four grounds, describing the issues as "strongly arguable" and as having "a bearing on key planning considerations which informed the grant of consent."

THE FOUR GROUNDS

Ground 1 — Historic England's advice was materially misrepresented. Historic England's substantive advice was that the proposed building was too large for its highly sensitive Grade I listed setting and would cause harm through excessive bulk. The committee report did not fairly present that advice. Members were left with the impression that Historic England found no harm, without being clearly told that the national heritage adviser had concluded the opposite.

Ground 2 — The report gave members an inconsistent heritage balance. The report treated the scheme as causing less-than-substantial harm when applying the NPPF public-benefit balance, but elsewhere described the overall heritage effect as neutral or acceptable. Members were never given a clear answer to the central question: did the scheme cause heritage harm, and if so how was that harm to be weighed?

Ground 3 — "Optimum viable use" was wrongly used as a public benefit. The report treated the scheme as securing the "optimum viable use" of the listed buildings. But the buildings were already in continuous educational use, and no evidence showed that this use was at risk. The error was to count as a benefit something already secure.

Ground 4 — Less harmful alternatives were not properly considered. Once heritage harm had been identified, the Council had to consider whether it could be avoided or reduced by a less harmful scheme. The report did not properly grapple with the 2011/2016 consented lower-bulk scheme or the Create Streets alternative.

THE CONSENT ORDER

After permission was granted in March 2026, the Council and Christ's College signed a Consent Order on 28 April 2026 agreeing that the first planning permission should be quashed.

THE SECOND APPLICATION

On 5 June 2026 the College submitted a second application for the same physical scheme. Its own Covering Statement confirms that no changes have been made to the drawings. The second application does not correct the four JR errors — it makes them worse: the same scheme is now presented as producing a heritage benefit, with no public-benefit balance required.

THE BURSAR EMAIL

Six weeks after the first permission was agreed to be quashed, the College Bursar emailed all 42 city councillors — including Planning Committee members — directing them to the College's new heritage-benefits case. He invited them to Christ's, described the judicial review as a delay, and said it was about process, not the project. He did not tell them the Council and College had just signed a court order conceding the permission was unlawful.

THE SUBSTANTIVE HEARING

The substantive oral hearing remains listed. By his order of 9 March 2026, Mr Justice Kimblin gave case management directions for a one-day substantive hearing in the Planning Court, directing that the case is not suitable for a Deputy High Court Judge. The hearing is listed for 20 October 2026.

Consultation deadline: 2 July 2026

Submit objections by email to: Dominic.Bush@greatercambridgeplanning.org | ref: 26/02109/FUL

Or comment online: applications.greatercambridgeplanning.org/online-applications/applicationDetails.do?activeTab=makeComment&keyVal=TG5PBZDXIM400