



**In the High Court of Justice  
King's Bench Division  
Planning Court**

AC-2024-LON-001249



**In the matter of an application for Planning Statutory Review**

**THE KING**

AC-2024-LON-001249

**on the application of**

**CHERWELL DISTRICT COUNCIL**

**Claimant**

**-and-**

- (1) SECRETARY OF STATE FOR LEVELLING UP, HOUSING AND COMMUNITIES**
- (2) RICHBOROUGH ESTATES**
- (3) LONE STAR LIMITED**
- (4) K & S HOLFORD**
- (5) A & S DEAN**
- (6) NP GILES**
- (7) ALC BROADBERRY**
- (8) DORCHESTER LIVING LIMITED**

**Defendants**

**Notification of the Judge's decision on the application for permission to apply for Planning Statutory Review (CPR PD 8C)**

Following consideration of the documents lodged by the Claimant and the Acknowledgements of service filed by the First, Second, Third, Sixth, Seventh and Eighth Defendants

**ORDER by the Honourable Mr Justice Mould**

1. The application for permission to apply for planning statutory review is granted.
2. The hearing of the claim is expedited and shall be listed for hearing this term with a time estimate of 1.5 days. If the parties disagree with this time estimate they shall provide a written time estimate within 7 days of service of this order.
3. The claim shall be listed for hearing with claim AC-2024-LON-001206 which also seeks to challenge the planning appeal decision which is the subject of this claim. The time estimate for the hearing allows for the two claims to be heard together.

**Observations**

1. The Claimant seeks expedition with the support of the First Defendant. The main issue in the claim concerns the interpretation of certain

paragraphs of the new edition of the National Planning Policy Framework published in December 2023. It may therefore be of wider significance and an early hearing is justified. I have abbreviated the timescales below accordingly.

### **Case Management Directions**

1. Any Defendant or other person who wishes to contest the claim or support it on additional grounds shall, within 14 days of the date of service of this Order, file and serve (a) Detailed Grounds for contesting the claim or supporting it on additional grounds, and (b) any written evidence that is to be relied on. For the avoidance of doubt, a party who has filed and served Summary Grounds pursuant to CPR 54.8 may comply with (a) above by filing and serving a document which states that those Summary Grounds shall stand as the Detailed Grounds required by CPR 54.14.
2. Any application by the Claimant to serve evidence in reply shall be filed and served within 7 days of the date on which the Defendant serves evidence pursuant to 1(b) above.
3. The parties shall agree the contents of the hearing bundle and the Claimant must file it with the Court not less than 14 days before the date of the hearing of the judicial review. An electronic version of the bundle shall be prepared and lodged by the Claimant in accordance with the Guidance on the Administrative Court website. The Claimant shall, if requested by the Court lodge hard-copy versions of the hearing bundle not less than 5 days before the hearing.
4. The Claimant must file and serve a Skeleton Argument not less than 14 days before the date of the hearing of the judicial review.
5. The Defendants must file and serve a Skeleton Argument not less than 7 days before the date of the hearing of the judicial review.
6. The parties shall agree the contents of a bundle of authorities to be referred to at the hearing. An electronic version of the bundle shall be prepared by the Claimant in accordance with the Guidance on the Administrative Court website. The Claimant shall if requested by the Court, prepare a hard-copy version of the authorities bundle. The electronic and hard copy versions of the bundle must be lodged by the Claimant with the Court not less than 5 days before the date of the hearing of the judicial review.
7. CPR 2.11 shall not apply to these proceedings.

Case NOT suitable for hearing by a Deputy High Court Judge\*

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[\*Tick if applicable]

Signed Timothy Mould

Dated 13 June 2024

**The date of service of this order is calculated from the date in the section below**

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**For completion by the Administrative Court Office**

Sent / Handed to

**either** the Claimant, and the Defendant [and the Interested Party]  
**or** the Claimant's, and the Defendant's [and the Interested Party's] solicitors

Date: 13/06/2024

Solicitors: CHERWELL DISTRICT COUNCIL  
Ref No.

**Notes for the Claimant**

You are reminded of your obligation to reconsider the merits of your claim on receipt of the Defendant's defence and evidence.