
STATUTORY INSTRUMENTS

2015 No. 1569

The Civil Procedure (Amendment No. 4) Rules 2015

Insertion of new rule 52.15B

10. After rule 52.15A, insert—

“Planning statutory review appeals

52.15B.—(1) Where permission to apply for a planning statutory review has been refused at a hearing in the High Court, the person seeking that permission may apply to the Court of Appeal for permission to appeal (see Part 8 and Practice Direction 8C).

(2) Where permission to apply for a planning statutory review has been refused and recorded as totally without merit in accordance with rule 23.12—

- (a) the claimant may apply to the Court of Appeal for permission to appeal;
- (b) the application will be determined on paper without an oral hearing.

(3) An application in accordance with paragraph (1) or (2) must be made within 7 days of the decision of the High Court to refuse to give permission to apply for a planning statutory review or, in the case of an application under paragraph (2), within 7 days of service of the order of the High Court refusing permission to apply for a planning statutory review.

(4) On an application under paragraph (1) or (2) the Court of Appeal may, instead of giving permission to appeal, give permission to apply for a planning statutory review.

(5) Where the Court of Appeal gives permission to apply for a planning statutory review in accordance with paragraph (4), the case will proceed in the High Court unless the Court of Appeal orders otherwise.”.