



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

AC-2026-BHM-000123



In the matter of an application for Planning Statutory Review

THE KING

AC-2026-BHM-000123

on the application of

WALSALL METROPOLITAN BOROUGH COUNCIL

Claimant

-and-

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

(2) WILLIAM DAVIS LIMITED

Defendant

**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 Defendants

ORDER by David Elvin KC sitting as a Deputy High Court Judge

1. Permission to apply for Planning Statutory Review is granted.
2. The application is to be listed for 3 hours. The parties shall provide a written time estimate within 7 days of service of this order if they disagree with this direction.

Case Management Directions

3. The Defendant and any other person served with the Claim Form who wishes to contest the claim or support it on additional grounds shall, within 35 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 PD 8C 5.5 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 PD 8C 12.1.
4. Any application by the Claimant to serve evidence in reply shall be filed

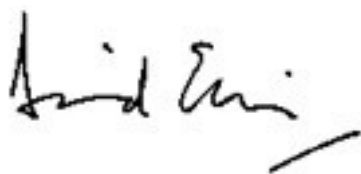
and served within 21 days of the date on which the Defendant serves evidence pursuant to 1(b) above.

5. The parties shall agree the contents of the hearing bundle and the Claimant must file it with the Court not less than 21 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 4 days before the hearing.
6. The Claimant must file and serve a Skeleton Argument not less than 14 days before the date of the hearing of the judicial review.
7. The Defendant and any Interested Party must file and serve a Skeleton Argument not less than 7 days before the date of the hearing of the judicial review.
8. 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 4 days before the date of the hearing of the judicial review.

Observations

It is arguable that having considered features of the site to the east, west and south that are relevant to the guidance in para. 5 of the PPG on Green Belts which focuses on features of the site and not development. However, the consideration at DL 74 and 75 instead appear to consider the development proposals for the site and not its features and is arguably a misapplication or misunderstanding of PPG para 5. I note the reliance by the Sec of State on the "incongruous pattern of development" aspect of the PPG but assumes that this necessarily means that permission would still have been permitted. This is arguable also. While I do not consider that grounds 3 and 4 add significantly to the key issues they are different ways of putting the main point and I will grant permission on all grounds to allow the different means of arguing the main issues.

Signed



Dated 21 July 2026

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

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: 23 July 2026

Solicitors:
Ref No.

Notes for the Claimant

To continue the proceedings, a fee is payable.

For details of the current fee please refer to the Administrative Court fees table at <https://www.gov.uk/court-fees-what-they-are>.

Failure to pay the fee or submit a certified application for fee remission may result in the claim being struck out.

The form to make an application for remission of a court fee can be obtained at <https://www.gov.uk/get-help-with-court-fees>

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