



Your reference Your ref
Our reference WILLEB/353701-1023

18 December 2018

BY SPECIAL DELIVERY

FAO
Chris Fribbins
Cliffe and Cliffe Woods Parish Council
42 Quickrells Avenue
Cliffe
ROCHESTER
Kent
ME3 7RB

Dear Sirs

Gladman Developments Limited -V- (1) Secretary of State for Housing Communities and Local Government (2) Medway Council
s288 Town & Country Planning Act 1990
Planning appeal ref: APP/A2280/W/17/3175461- Land at Town Road, Cliffe Woods, Kent, ME3 8JL

We are instructed on behalf of the Claimant in this matter. We write to inform you that pursuant to Section 288 of the Town and Country Planning Act 1990 an application for planning statutory review seeking the quashing of the decision of the Secretary of State on 8 November 2018, to refuse planning permission for the development of the above site has been issued in the Planning Court. Whilst we are not obliged to serve you with a copy of the claim, we are aware that as Rule 6 party to the appeal you may have an interest in the proceedings and we enclose a copy of the claim form and grounds of claim for your information.

Yours faithfully

Addleshaw Goddard LLP

Direct line 0161 934 6555
Email emily.williams@addleshawgoddard.com

Enc

10-25832597-2\353701-1024

Addleshaw Goddard LLP, One St Peter's Square, Manchester M2 3DE
Tel +44 (0)161 934 6000 Fax +44 (0)161 934 6060 DX 14301 Manchester
www.addleshawgoddard.com

Addleshaw Goddard LLP is a limited liability partnership registered in England and Wales (with registered number OC318149) and is authorised and regulated by the Solicitors Regulation Authority and the Law Society of Scotland. A list of members is open to inspection at our registered office, Milton Gate, 60 Chiswell Street, London EC1Y 4AG. The term partner refers to any individual who is a member of any Addleshaw Goddard entity or association or an employee or consultant with equivalent standing and qualifications.

N208PC

Planning Statutory Review
Part 8 Claim Form (CPR8.1(6) and
Practice Direction 8C)

In the High Court of Justice
 Planning Court in the Administrative Court

For Court use only	
Planning Court Reference No.	CO/5063/2018
Date filed	18/12/18



SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name(s) and address(es)

name Gladman Developments Limited	
address Gladman House Alexandra Way Congleton Business Park Congleton CW12 1LB	
Telephone no.	Fax no.
E-mail address	

Claimant(s) or claimant(s) legal representative(s) address to which documents should be sent.

name Addleshaw Goddard LLP (ref: WILLEB)	
address One St Peter's Square Manchester M2 3DE	
Telephone no. 0161 934 6555	Fax no. 0161 934 6060
E-mail address emily.williams@addleshawgoddard.com	

Claimant(s) Counsel's details

name Richard Kimblin QC, Thea Osmund-Smith	
address No5 Chambers Fountain Court Steelhouse Lane Birmingham B4 6DR	
Telephone no. 0845 241 5258	Fax no. 0121 606 1501
E-mail address planning@no5.com	

1st Defendant

name Secretary of State for Housing, Communities and Local Government	
Defendant(s) or (where known) Defendant(s) legal representative(s) address to which documents should be sent.	
name Treasury Solicitor	
address Government Legal Department B5 General Public Law and Planning Litigation One Kemble Street London WC2B 4TS	
Telephone no.	Fax no.
E-mail address thetreasurysolicitor@governmentlegal.gov.uk	

2nd Defendant

name Medway Council	
Defendant(s) or (where known) Defendant(s) legal representative(s) address to which documents should be sent.	
name Head of Legal Services	
address Medway Council Gun Wharf, Dock Road Chatham Kent ME4 4TR	
Telephone no.	Fax no.
E-mail address	

SECTION 2 Details of other interested parties as set out in paragraph 4 of PD 8C

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name Cliffe and Cliffe Woods Parish Council	name
address FAO Chris Fribbins 42 Quickrells Avenue Cliffe, ROCHESTER Kent ME3 7RB	address
Telephone no.	Telephone no.
Fax no.	Fax no.
E-mail address Clerk@cliffeandcliffewoods-pc.gov.uk	E-mail address

SECTION 3 Details of the decision to be statutorily reviewed

Decision:
The decision of the First Defendant to refuse the Claimant's planning appeal ref: APP/A2280/W/17/3175461 in respect of proposed development of land at Town Road, Cliffe Woods, Kent ME3 8JL

This claim for statutory review is being made under the following section as set out in CPR PD 8C 1.1:-

- ☐ section 287 of the Town and Country Planning Act 1990
- ☒ section 288 of the Town and Country Planning Act 1990
- ☐ section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- ☐ section 22 of the Planning (Hazardous Substances) Act 1990
- ☐ section 113 of the Planning and Compulsory Purchase Act 2004
- ☐ other, please state

Date of decision:
8 November 2018

Name and address of the authority, tribunal or minister of the Crown who made the decision to be reviewed.

name Secretary of State for Housing Communities and Local Government	address Treasury Solicitor Government Legal Department B5 General Public Law and Planning Litigation One Kemble Street London WC2B 4TS
--	--

SECTION 4 Permission to proceed with a claim for a planning statutory review

I am seeking permission to proceed with my claim for a planning statutory review.

Are you making any other applications? If Yes, complete Section 8.

☐ Yes ☒ No

Is the claimant in receipt of a Civil Legal Aid Certificate?

☐ Yes ☒ No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Section 8.

☐ Yes ☒ No

Have you issued this claim in the region with which you have the closest connection? (Give any additional reasons for wanting it to be dealt with in this region in the box below). If No, give reasons in the box below.

☐ Yes ☒ No

The Claimant is based in Cheshire but recognises that given the location of the site and the subject matter of the claim, the claim should probably be heard in London.

Does the claim include any issues arising from the Human Rights Act 1998?

If Yes, state the articles which you contend have been breached in the box below. ☐ Yes ☒ No

SECTION 5 Detailed statement of grounds

☐ set out below ☒ attached

Please see statement of facts and grounds attached.

SECTION 6 Aarhus Convention Claim

If you have indicated that the claim is an Aarhus claim set out the grounds below, including (if relevant) reasons why you want to vary the limit on costs recoverable from a party.

SECTION 7 Details of remedy (including any interim remedy) being sought

☐ set out below ☒ attached

Please see statement of facts and grounds attached.

SECTION 8 Other applications

☒ set out below ☐ attached

I wish to make an application for:-

As more particularly set out in the statement of facts and grounds attached the Claimant requests that this claim be categorised as a Significant Planning Case within the meaning of CPR PD 54E 3.2 (a), (b) and (d) because of: the significant economic impact arising from the residential development; the claim raises important points of law under Grounds 1 to 4, and; the nature of the technical material is best dealt with by a judge with significant experience of handling such matters

SECTION 9 Statement of facts relied on

☐ set out below ☒ attached

Please see statement of facts and grounds attached.

SECTION 10 Supporting documents

If you intend to use a document to support your claim but do not presently have that document, identify it, give the date when you expect it to be available and give reasons why it is not presently available in the box below.

Please also tick the following boxes in relation to the papers you are filing with this claim form and any you will be filing later.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Detailed statement of grounds | <input type="checkbox"/> set out in Section 5 | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> Application for directions | <input type="checkbox"/> set out in Section 8 | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Statement of the facts relied on | <input type="checkbox"/> set out in Section 9 | <input checked="" type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Written evidence in support of the claim | | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> Where the claim for a planning statutory review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision | | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Copies of any documents on which the claimant proposes to rely | | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> A copy of the legal aid or Civil Legal Aid Certificate (<i>if legally represented</i>) | | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Copies of any relevant statutory material | | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> A list of essential documents for advance reading by the court (<i>with page references to the passages relied upon</i>) | | <input type="checkbox"/> attached |

Reasons why you have not supplied a document and date when you expect it to be available:-
N/A

Statement of Truth

I believe (The claimant believes) that the facts stated in this claim form are true.

Full name Emily Victoria Jane Williams

Name of claimant's legal representative's firm Addleshaw Goddard LLP

Signed 
Claimant ('s legal representative)

Position or office held Partner
(if signing on behalf of firm or company)