

CRIMINAL JUSTICE AND COURTS ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Judicial Review

Planning proceedings

Schedule 16: Procedure for certain planning challenges

676. [Paragraph 2](#) amends section 284 of the Town and Country Planning Act 1990. It inserts new paragraph (g) in section 284(1) to prevent the validity of a relevant costs order from being questioned in legal proceedings other than those brought in accordance with Part 12 of that Act. It also inserts a new subsection (3A), which defines “relevant costs order”.
677. [Paragraph 3](#) amends section 287 of the Town and Country Planning Act 1990 to provide that proceedings for questioning the validity of the planning documents to which that section applies may only be brought with leave of the High Court.
678. [Paragraph 4](#) amends section 288 of the Town and Country Planning Act 1990 to provide that proceedings for questioning the validity of a range of planning-related orders and actions may only be brought with leave of the High Court. The new subsection (1A) for section 288 also enables a relevant costs order made in connection with an order or action to which section 288 applies to be challenged under section 288.
679. [Paragraph 5](#) amends section 62 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to prevent the validity of a relevant costs order from being questioned in legal proceedings other than proceedings brought in accordance with section 63 of that Act. “Relevant costs order” is defined in a new subsection (2A) for section 62.
680. [Paragraph 6](#) amends section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to provide that proceedings for questioning the validity of certain orders and decisions made under that Act may only be brought with leave of the High Court. It also inserts a new subsection (1A) to enable a relevant costs order made in connection with such an order or decision to be challenged under section 63.
681. [Paragraph 7](#) amends section 22 of the Planning (Hazardous Substances) Act 1990 to provide that proceedings for questioning the validity of certain decisions of the Secretary of State under that Act may only be brought with leave of the High Court.
682. [Paragraph 8](#) amends section 113 of the Planning and Compulsory Purchase Act 2004 to provide that proceedings for questioning the validity of specified strategies, plans and other documents may only be brought with leave of the High Court.