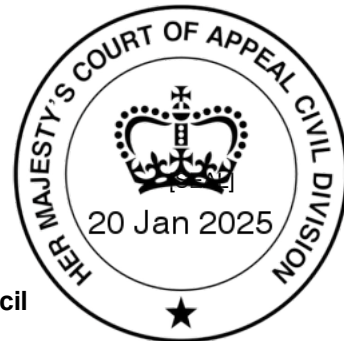




IN THE COURT OF APPEAL, CIVIL DIVISION

REF: CA-2024-002504



The King (on the application of Hilary Jones) –v– Isle of Anglesey County Council

CA-2024-002504

ORDER made by the Rt. Hon. Lord Justice Stuart-Smith

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal the Order of Mould J dated 11 October 2024

Decision: permission to appeal is **refused**.

Reasons

Ground 1 has no realistic prospect of success. The Judge's decision involved the application of conventional principles to the case in hand. He made no error of principle in his summary of the principles and no arguable error of judgment or principle in his application of the relevant principles to the facts in the case. In my judgment his reasons are clear, cogent and clearly right.

Grounds 2 and 3 do not arise. Had Ground 2 arisen, I would have decided that the Judge's contingent ruling was correct for the reasons he gave. I agree with the second Respondent that the imposition of different time periods for implementation does not render a permission "severable" in the sense that it should then be read as if it were two planning permissions.

In the light of my decision on grounds 1 to 3, no question of limiting costs arises.

Information for or directions to the parties

Court of Appeal Mediation Scheme (CAMS)

Where permission has been granted or the application adjourned:

a) Does the case fall within the Automatic Referral Scheme (see below)? Yes/No (delete as appropriate)

Automatic Referral Scheme categories:

- | | |
|---|---|
| <ul style="list-style-type: none"> • All cases involving a litigant in person (other than immigration and family appeals) • Personal injury and clinical negligence cases; • All other professional negligence cases; • Small contract cases below £500,000 in judgment (or claim) value, but not where principal issue is non-contractual; | <ul style="list-style-type: none"> • Boundary disputes; • Inheritance disputes. • EAT Appeals • Residential landlord and tenant appeals |
|---|---|

b) If yes, is there any reason not to refer to CAMS mediation under the Automatic Referral Scheme? Yes/No (delete as appropriate)

c) If yes, please give reason:

d) Cases outside the Automatic Referral Scheme: Do you wish to make a recommendation for mediation? Yes/No (delete as appropriate)

Where permission has been granted, or the application adjourned

- a) time estimate (excluding judgment)
b) any expedition

Signed: BY THE COURT

Date: 17 January 2025

- (1) Rule 52.6(1) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Where permission to appeal has been refused on the papers, that decision is final and cannot be further reviewed or appealed. See rule 52.5 and section 54(4) of the Access to Justice Act 1999.
- (3) Where permission to appeal has been granted you must serve the proposed bundle index on every respondent within 14 days of the date of the Listing Window Notification letter and seek to agree the bundle within 49 days of the date of the Listing Window Notification letter (see paragraph 21 of CPR PD 52C).

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