Burnett, James

From: Planning (SMDC)
Subject: FW: DET/2016/0062 & 63

From: Bayliss, Gillian
Sent: 24 November 2016 17:01
To: Johnston, Christopher
Subject: DET/2016/0062 & 63

Chris,
I don't propose to comment on these applications as they are not historic structures. I would however refer you to the recent High Court Judgement:

The following **High Court judgment** relating to **Part 3 Class Q of the GPDO** (i.e. agricultural-to-residential conversions) was handed down on 09/11/2016:

- **Hibbitt, and Another v Secretary of State for Communities and Local Government, and Rushcliffe Borough Council [2016] EWHC 2853 (Admin) (9 November 2016).**
  [Note: The transcript for the above High Court judgment is available as a free-to-view transcript on the Bailii.org website (link)].

In my opinion, the above judgment supports the conclusion that Part 3 Class Q of the GPDO allows a *"conversion"*, but does **not** allow a ***"rebuild or fresh build"***.
Clearly some of the structures are not of permanent construction and the works involved need to be assessed against this court judgement and the Class Q criteria.

The quality of design is also relevant.

Gill Bayliss
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Please note that my working days are Monday-Thursday

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