



**In the High Court of Justice  
Queen's Bench Division  
Administrative Court**

CO Ref:

CO/1017/2019

In the matter of an application for Judicial Review

**The Queen on the application of**

WARREN FARM (WOKINGHAM) LIMITED

Claimant

versus

WOKINGHAM BOROUGH COUNCIL

Defendant

**Application for permission to apply for Judicial Review  
NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)**

Following consideration of the documents lodged by the Claimant and the Acknowledgement of service filed by the Defendant

**Order by Her Honour Judge Alice Robinson sitting as a Deputy High Court Judge**

**Permission is hereby granted**

**Observations:**

1. While it may well be the case that Parliament intended article 7 of the 2015 Order to curtail the rights in Schedule 2 to commence permitted development on expiry of a period specified in the individual class by giving the parties power to agree an extension to the period, in my judgment whether the language of the 2015 Order is effective to achieve that intention is another matter and the contrary is arguable.
2. As the defendant rightly points out, if there is no evidence to satisfy the provisions of paragraph Q1(a) then the permitted development rights would not apply. However, that is not a matter for this Court.

**Case management directions**

- The defendant and any other person served with the claim form who wishes to contest the claim or support it on additional grounds must file and serve detailed grounds for contesting the claim or supporting it on additional grounds and any written evidence, within 35 days of service of this order.
- Any reply and any application by the claimant to lodge further evidence must be lodged within 21 days of the service of detailed grounds for contesting the claim.
- The claimant must file and serve a trial bundle not less than 4 weeks before the date of the hearing of the judicial review.
- The claimant must file and serve a skeleton argument not less than 21 days before the date of the hearing of the judicial review.
- The defendant and any interested party must file and serve a skeleton argument not less than 14 days before the date of the hearing of the judicial review.
- The claimant must file an agreed bundle of authorities, not less than 3 days before the date of the hearing of the judicial review.

**Listing Directions**

The application is to be listed for 2 hours; the parties to provide a written time estimate within 7 days of service of this order if they disagree with this direction.

Case NOT suitable for hearing by a Deputy High Court Judge\*

Criminal case NOT suitable for hearing by a Single Judge\*

[\*Tick if applicable]

Directions as to venue, if applicable:

Signed 

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

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**For completion by the Administrative Court Office**

Sent / Handed to the claimant, defendant and any interested party / the claimant's, defendants, and any interested party's solicitors on (date):

**08 APR 2019**

Solicitors: Barlow Robbins LLP

Ref No. DGF/ME955/112081/2

**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 from the Justice website <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.