

CD 6.4.1

Preface Note

Supreme Court Judgment

Samuel Smith Old Brewery (Tadcaster) & Ors, R (on the application of) v North Yorkshire County Council [2020] UKSC 3 (5 February 2020)

The Judgment is relevant because it considers the meaning of the word “openness”.

The key proposition is: the Supreme Court found that the visual component of openness is capable of being a material consideration, but it is not necessarily a consideration in every case.

Key paragraphs: 39-41