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## PRESS RELEASE

**For immediate release**  
**Dunsfold – Friday 22<sup>nd</sup> February 2019**  
**From Protect Our Waverley campaign**

### HIGH COURT CHALLENGE ON WAVERLEY'S LOCAL PLAN

The fight to reduce the housing requirement for the whole of Waverley continues! On 21<sup>st</sup> February, CPRE and POW were granted leave to appeal from the Court of Appeal against the judgment delivered on 5<sup>th</sup> November concerning the housing requirement set in Waverley Borough Council's Local Plan Part 1. That November judgement said that the housing requirement of 590 a year should be maintained, including 83 to cover Woking's perceived "unmet need".

The appeal centres on how a shortfall in housing provision - unmet need - in one borough is allocated to neighbouring boroughs. The clarification of this issue has implications not just for Waverley but for Guildford and across the country. The Right Honourable Lord Justice Singh said:

"I am persuaded by the Appellants skeleton arguments that there is a compelling reason why these two appeals should proceed, namely the general importance of the issues of principle raised. It appears from those skeleton arguments that they have not been considered at the level of the Court of Appeal and it seems to me that they should be."

This latest appeal comes against the background of two important changes. First, Woking Borough Council has declared that it now has no unmet need. Second, new demographic numbers recently released by the Office for National Statistics imply a much reduced need for new housing.

Bob Lees said "This is great news! It provides Waverley Borough Council with a golden opportunity to significantly reduce the mandatory number of new houses to be built in the Borough over the next 14 years. POW fought against the housing requirement at the Examination of the Plan in the Council Chamber. POW fought again in the High Court. POW will fight in the Court of Appeal. POW is fighting to protect our Waverley against unneeded development of our towns, of our villages and in our beautiful countryside."

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Notes for Editors

In August 2016, Waverley Borough Council (WBC) published its draft Local Plan Part 1. An Examination in Public was held between 27th June and 6th July 2017 by Government Planning Inspector Jonathan Bore. During this hearing, Mr Bore increased the number of homes to be built from 519 to 590 a year, including 83 to meet Woking's "unmet need". WBC failed to challenge this increase. Mr Bore published his report, including the higher housing target, on 1st February 2018. WBC accepted it and adopted the Local Plan Part 1 on 20th February 2018.

On 29th March 2018 POW and the Council for the Protection of Rural England (CPRE) both lodged 'Section 113' challenges against Waverley's Local Plan Part 1 on the basis of the need for housing. POW has campaigned throughout for a properly sustainable Local Plan for Waverley and this challenge is specifically against the housing target, and not the whole Plan. POW's initial appeal was on two grounds:

- That the calculated housing need had to be met despite the constraints faced in Waverley with its Areas of Outstanding Natural Beauty.
- That Waverley should take half of Woking's unmet need, amounting to 83 dwellings a year.

The first was rejected in the High Court in July, but the second claim was allowed.

On 9th and 10th October a hearing was held in the High Court in London to answer the case made against the housing requirement set in Waverley's Local Plan Part 1 to cover Woking's unmet need. The Deputy Judge, Nathalie Lieven QC, rejected the challenge on 5th November.

On 27<sup>th</sup> November CPRE and POW sought leave to appeal from the Court of Appeal against the judgement delivered on 5th November.

### **Protect Our Waverley Campaign**

Protect Our Waverley Campaign campaigns against the unnecessary development and unsustainable planning applications throughout the Borough of Waverley. The campaign is managed by POWCampaign Ltd.

For information about POWCampaign please see the campaign's website

[www.powcampaign.org](http://www.powcampaign.org)

and its companion website

[www.dunsfoldvillage.co.uk](http://www.dunsfoldvillage.co.uk)

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