



POWCampaign Ltd
Unit A11, Fair Oaks Airport
Chobham
Surrey
GU24 8HU

PRESS RELEASE

For immediate release

Dunsfold – 1st November 2019

From Protect Our Waverley Campaign

CPRE SURREY AND POW LOSE APPEAL AGAINST WAVERLEY BOROUGH COUNCIL'S LOCAL PLAN PART 1

On 21st February, the Council for Protection of Rural England Surrey (CPRE) and Protect Our Waverley (POW) were granted leave to appeal against the housing requirement set in Waverley Borough Council's Local Plan Part 1: 590 a year, including 83 to cover Woking Borough Council's shortfall, called the "unmet need". CPRE and POW argued that the Planning Inspector had not properly assessed Woking's unmet need and the extent to which it should be allocated to Waverley. Removal of the 83 a year, or 1,577 over the life of the Plan, would reduce the number of new houses needed by 14%.

The case was heard in the Court of Appeal in London on 24th June by three judges: Lord Justice Lindblom, Sir Ernest Ryder (Senior President of Tribunals) and Lord Justice Patten. On 31st October, the Court of Appeal rejected our case. The judgement acknowledged that our submissions were "skillful" but found that the Inspector's conclusion was "within the bounds of reasonable planning judgment".

This Appeal Court judgement does not just affect Waverley. It is a landmark judgement that will potentially affect how local plans throughout England and Wales are assessed in future.

POW Chairman Bob Lees said "We are very disappointed that our appeal has been rejected. However, we will not be taking the matter further. We are nevertheless grateful to all our supporters over the past three years who have enabled us to challenge fully Waverley's development plans."

BACKGROUND

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 Surrey (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 was specifically against the housing target, and not the whole Plan. POW was granted leave to appeal against Waverley taking half of Woking's "unmet need" and on 9th and 10th October 2018 a hearing was held in the High Court in London. However, then Deputy Judge, Nathalie Lieven QC, rejected the challenge on 5th November. On 27th November CPRE and POW sought leave to appeal against the judgement delivered on 5th November. Leave to appeal was granted on 21st February and the case was heard by the Court of Appeal on 24th June.

Protect Our Waverley Campaign

Protect Our Waverley 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

and its companion website

www.dunsvillage.co.uk

For more information please contact:

Bob Lees, Chairman of the Campaign

07860 406093

bob@powcampaign.org