

# Compton PC - Local Plan Sub-Committee Report (Nov 2019)

## S113 challenge

The joint S113 challenge against the Guildford Local Plan was heard in the High Court by Sir Duncan Ouseley, from November 5-7. A joint skeleton argument had been prepared by the claimants (Compton and Ockham PCs and Guildford resident Mr Jules Cranwell) and this was expanded upon during the hearing.

Much of the legal debate centred on whether the size of the housing buffer (ie the allocation of 14,602 homes against the objectively assessed need of 10,678) is an exceptional circumstance which justifies changing the green belt boundaries. In addition to arguing that a buffer of this size is not an exceptional circumstance, Compton's QC (Richard Kimblin) argued on two further grounds:

- The Inspector did not consider whether the access road to the Blackwell Farm proposed development site was 'major development' in the AONB and hence did not apply the 'exceptional circumstances' test required by the National Planning Policy Framework.
- There was a failure to revisit the Sustainability Environmental Appraisal (SEA) once the housing requirement figure had been reduced from 12,426 to 10,678 while the supply figure remained at 14,602.

The claimants' legal team did an excellent job in outlining its arguments, and it is anticipated that a judgement will be received sometime before Christmas.

## Latest housing figures

Guildford Borough Council has published its latest housing supply figures, which shows that the housing supply figure is now 16,171 homes over the period of the Local Plan, plus a further 500 homes at Slyfield. This means that Guildford is now providing housing at more than 65% above its objectively assessed need. These latest housing figures were admitted by the Judge during the hearing as "context".

The housing supply information can be found at [www.guildford.gov.uk/localplan/housing](http://www.guildford.gov.uk/localplan/housing) and at [www.guildford.gov.uk/localplan/monitoring](http://www.guildford.gov.uk/localplan/monitoring). The relevant information is also attached in Annex A.

## Waverley Local Plan challenge - appeal dismissed

On October 31, the Court of Appeal dismissed the joint Local Plan challenges brought by Protect Our Waverley (POW) Campaign Ltd and CPRE Surrey to the adoption of Waverley Borough Council's Local Plan.

The POW/CPRE challenge focused on the Local Plan Inspector's approach to unmet housing need when assessing Waverley's Objectively Assessed Housing Need (OAN), and specifically his requirement that Waverley's OAN should include 50% of Woking's unmet need (equivalent to 83 dwellings per annum).