



Effingham Parish Council

PRESS RELEASE

25 April 2018

Immediate release

Effingham Parish Council decides not to challenge the Berkeley Homes / Howard of Effingham School appeal decision

At their meeting on 24 April, Effingham Parish Council (EPC) reluctantly agreed not to challenge the decision of the Secretary of State to allow the appeal by Berkeley Homes and the Howard of Effingham School, which gave permission to build up to 295 houses as enabling development to fund the building of an enlarged replacement school, all on Green Belt land in Effingham.

Effingham Parish Council's barrister at the Planning Inquiry, Scott Stemp, advised that the judgement on planning weighting was unusual but not irrational in legal terms. Challenging the decision would risk substantial costs, and even if the case was won another Inquiry would follow which could lead to the same result. Mr. Stemp concluded "It is a very disappointing result from an Inquiry which I felt went very well for us and from the immense amount of hard work put in to the Inquiry by all. ... I am of the view that there isn't a realistic basis on which EPC could challenge the Secretary of State's decision."

The Secretary of State based his opinion on the planning balance. He agreed with the Inspector in giving 'very substantial' weight to educational need, including the poor condition of the Howard of Effingham School, his opinion that the current school is not fit for purpose, and the need for extra places to ensure a sufficient choice for parents. In addition, he gave 'very substantial' weight to Guildford Borough's lack of a five-year housing land supply, as the Emerging Local Plan carries very little weight so far.

This judgement meant the 'very substantial' weight given to educational factors and housing land supply factors outweighed the merely 'substantial' weight given to inappropriate development in the green belt and harm to the openness of the green belt. The weighting given to Effingham's newly adopted Neighbourhood Plan was downgraded to 'moderate' because of the lack of a five year land supply in Guildford Borough, even though the Neighbourhood Plan allocated sufficient sites to meet local housing need and was consistent with the Emerging Local Plan.

EPC Chairman Arnold Pindar said "This is a devastating result for the village. The Parish Council and many local residents are deeply angry and upset, but sadly we cannot risk local tax-payers' money in a legal challenge when we have clear advice that there are insufficient grounds."

Parish Councillor Liz Hogger is also Effingham's Borough Councilor and a member of the Borough's Planning Committee. Cllr Hogger said "It is shocking that the Inspector's judgement on educational need, and the lack of government funding to rebuild the school, trumped protecting our green belt. It seems the green belt is effectively for sale to any housing developer who can claim to provide public infrastructure at no cost to the public purse. This sets a very dangerous precedent and could encourage speculative housing proposals in the green belt right across the borough."

Parish Councillor Paula Moss, who chaired the Neighbourhood Plan working group, added “Even though Effingham had made ample provision for new housing to meet local need in our Neighbourhood Plan, the Borough’s lack of a five-year housing land supply meant this was ignored. Five years’ hard work by local residents to prepare a Neighbourhood Plan which gained the support of 93.5% of voters in February’s referendum has been thrown away by the opinion of just one Planning Inspector supported by the Secretary of State. This makes a mockery of local democracy.”

Chairman Arnold Pindar added “The Parish Council will be watching the progress of these proposals like a hawk, to make sure all the planning conditions and requirements are followed to the letter and we get the best possible result for Effingham out of this planning fiasco. The school needs to be built to the standard promised, playing fields that are playable must be delivered, traffic mitigation measures need to be implemented, and wildlife will need protection. In particular, we are determined that Berkeley Homes will deliver the promised Section 106 funding to rebuild the King George V Hall, to provide improved community facilities for the 30% increase in the village’s population.”

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