

Landmark victory for residents in battle against building sprawl.

The following was published in The Times newspaper on 21.4.15. (Ben Webster – Environment Editor)

Towns and villages will have a better chance to resist unwanted new housing after one of Britain's most aggressive developers last a test case.

Gladman Developments has withdrawn its legal challenge against a 'Neighbourhood Plan' drawn up by the residents of Winslow in Buckinghamshire, who wanted to determine where new housing should be built in the town.

The residents' victory over Gladman is expected to encourage many other communities to fight proposals by developers by adopting their own Neighbourhood Plans.

Gladman, which uses weaknesses in local planning policies to target greenfield sites, had tried to block the adoption of the residents' plan.

The Cheshire based developer wanted Winslow to double in size to 4,000 homes, whereas 98% of local people voted in favour of a plan under which 450 homes would be built. Gladman initially tried to prevent the residents from voting on the plan by seeking an injunction to prevent a local referendum from taking place.

After losing that case, Gladman challenged the legality of the plan at the High Court. A judge dismissed the case in December, but last month the company made an appeal against that decision. The developer has now withdrawn the appeal, meaning that Winslow's plan will be used to decide where new homes should be built.

Uncertainty over the legal status of Neighbourhood Plans, which were introduced under the Localism Act 2011 has deterred many communities from adopting them, with fewer than 50 completed to date.

Lew Monger, a Winslow councillor said that the case set a precedent that could be used by other communities fighting developers. "This is perhaps the dawn of more localism and much less legalism in relation to Neighbourhood Planning, which will hopefully encourage many other communities to embark on developing a Neighbourhood Plan", Mr. Monger said.

Roy van de Poll, another Winslow councillor, said that Gladman appeared to have given up boasting about its aggressive approach to obtaining planning PERMISSION FOR HOUSING. He said that the company had recently removed statements from its website in which it described itself as "obsessed with winning consents" and said it was expert in obtaining "residential planning consents on edge-of-town greenfield sites."

The Times revealed last year how Gladman had sent a letter to landowners in another area advising them to "move quickly, whilst the local authority is vulnerable."

Neil Sinden, policy director of the Campaign for the Protection of Rural England (CPRE) said, “Hopefully now other communities will stand up to bullying developers. However, there is a need for much clearer legal status for Neighbourhood Plans.”

“We are pushing for a community right to appeal against speculative development in areas where a Neighbourhood Plan has been prepared. This is intended to level the legal playing field between developers and local communities.”

Gladman declined to comment.

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