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14: v: 19

Claim No: CO/3511/2018

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT  
PLANNING COURT

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

BETWEEN:



CLAIRE STEPHENSON

*Claimant*

-and-

THE SECRETARY OF STATE FOR HOUSING AND COMMUNITIES AND  
LOCAL GOVERNMENT

*Defendants*

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**ORDER**

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Before Mr Justice Dove

UPON hearing Mr David Wolfe QC, Mr Peter Lockley and Ms Jennifer Robinson on behalf of the Claimant, Mr Rupert Warran QC and Ms Heather Sargent on behalf of the Defendant

IT IS ORDERED THAT

1. Permission is granted on grounds 1, 3 and 4
2. Permission is refused on ground 2
3. Grounds 1 and 4 are allowed
4. Ground 3 is dismissed
5. The Defendant's decision of 24<sup>th</sup> July 2018 to adopt paragraph 209a of the NPPF is declared unlawful
6. Paragraph 209a of the NPPF is quashed
7. The Defendant is to pay the Claimant's costs, to be assessed if not agreed and capped at the sum of £35,000.



DATE: MAY 14TH 2019

*By the Court*