



Housebuilder CALA takes Pickles back to court

By [Michael Donnelly](#) Thursday, 24 February 2011

Housebuilder CALA Homes has been granted permission to appeal its recent High Court defeat in its long-running fight against the Government's claim that its intention to abolish regional housing targets should be considered when deciding on planning applications.

In November, the High Court ruled that the secretary of state's revocation of the regional strategies was unlawful.

However, Department for Communities and Local Government chief planner Steve Quartermain immediately issued guidance insisting that, notwithstanding the illegality of revocation, decision makers should still have regard to the Government's intention to abolish regional strategies at some point in the future, as material consideration.

Cala challenged this but following a series of court hearings, was eventually defeated last month when the High Court ruled that councils should regard the letter as material consideration.

Cala immediately said it would appeal the decision and has now been granted permission to do so.

Ian Ginbey of Macfarlanes LLP, who has acted for CALA throughout its litigation, welcomed the Order and said: "The Court of Appeal considers there to be a arguable grounds for contesting the decision and has recognised the general importance of the case.

"Accordingly, expedition has been granted and a hearing is expected in early May."

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