

3351035 - Appeal decisions referred to by the Appellant

CD ref:	Appeal ref:	Site:	Date:	Inspector	References:
CD12.1	2197532 and 2197529	Land off Audlem Road, Stapeley, Nantwich and land off Peter De Stapeleigh Way, Nantwich	15 th July 2020	David Morgan (SoS Case)	DL 21: Removal of category b) sites without any evidence for their inclusion. DL 21: Removal of b) sites where no progress has been made contrary to that set out in the clear evidence. DL 28: Significant weight to the delivery of housing despite the LPA being able to demonstrate a 5YHLS
CD12.2	3227970	Land to the south of Cox Green Road, Rudgwick, Surrey	16 th September 2019	John Felgate	DN 10 – 27: Five Year Housing Land Supply DN 22 – 24: Removal of category b) sites without any evidence for their inclusion. DN 10 – 27: Removal of category b) sites without clear evidence.
CD12.3	3284485	Land at Station Road, Stalbridge, North Dorset	20 th June 2022	Andrew Dawe	DN 53 and 57: Removal of category b) sites without any up to date information from a developer.
CD12.4	3270721	Land within the Westhampnett / North East Strategic Development Location, North of Madgwick Lane, Chichester	27 th May 2022	O S Woodward	DN 82: Removal of category b) sites for phase 2 of a development without clear evidence.
CD12.5	3330615	Weddington Road, Nuneaton	26 th July 2024	R Aston	DN 164-165, 172-173, 179: Removal of category b) sites with outline permission

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					without clear evidence towards submission of reserved matters. DN 174 – 175: Removal of category b) site with resolution to grant full PP where S106 has not been issued.
CD12.6	3194926	East side of Green Road, Woolpit, Mid Suffolk	28 th September 2018	Harold Stephens	DN 70: Evidence being produced to retrospectively justify the inclusion of sites.
CD12.7	3169314	Land to the east of Newport Road and to the east and west of Cranfield Road, Woburn Sands	25 th June 2020	Tom Gilbert-Wooldridge (SoS Case)	DL 12, IR 12.12: Inclusion of evidence and new sites after the base date. DL 12, IR 12.11: reliance on evidence post base date
CD12.8	2212671	Land off Darnhall School Lane, Winsford	4 th November 2019	Melvyn Middleton (SoS Case)	DL 15 and IR 344: Inclusion of evidence and new sites after the base date. DL 19 and IR 368-370: Build out rates and lead-in times. IR28 Substantial weight to SBCH
CD12.9	3180729	Land east of Gleneagles Way, Hatfield Peverel	8 th July 2019	Brian Cook (SoS Case)	DL 34 – 43 and Annex D to the DL: Five Year Housing Land Supply. DL 41: Removal of category b) sites without clear evidence.
CD12.10	3216104	Land off Popes Lane, Sturry, Kent	3 rd September 2019	John Felgate	DN 23: Removal of category b) sites without clear evidence.

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CD12.12	3265861	Little Sparrows, Sonning Common, South Oxfordshire	25 th June 2021	Harold Stephens	DN 20 and 21: Removal of category b) sites without clear evidence.
CD12.13	3301202	Land west of Wroslyn Road, Freeland	18 th January 2023	H Porter	DN 49 - 59: sites with outline planning permission and no reserved matters and no clear evidence should be removed and sites with pending applications subject to objections should be removed.
CD12.14	3341832	Land east of Langford Road, Langford, Central Bedfordshire	11 th November 2024	C Dillon	DN 16: Removal of category b) site for phases 3 and 4 of a development without clear evidence.
CD12.15	3292721	Spruce Close, Exeter	25 th August 2022	H Porter	DN 40-41: sites with outline planning permission and no reserved matters and no clear evidence should be removed. DN 42-43: sites with pending reserved matters applications subject to objections should be removed.
CD12.16	3329928	46 Lymington Bottom, Four Marks, Alton, East Hampshire	10 th April 2024	J P Longmuir	DN15: removal of an allocated site without permission where an outline application had been pending for a protracted period. DN 17: removal of a category b) site where reserved matters had been pending for 2 years and subject to technical objections. DN 54: removal of a category b) site with reserved matters pending determination subject to statutory objections.

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CD12.31	3324631	Sondes Place Farm, Dorking	28 th November 2023	Andrew McGlone	DL85 and DL86: Importance of addressing affordable housing backlog as soon as possible DL88: Consequences of insufficient affordable housing and relevance of affordability indicators
CD12.32	3230827	Oxford Brookes University	23 rd April 2020	D M Young	IR13.101 and IR13.102: relevance of Housing Registers
CD12.33	3332590	Coombebury Cottage, Dunsfold	8 th May 2024	G D Jones	DL48: Affordable housing as a discrete benefit in the planning balance, distinguished from that of open market housing
CD12.34	3136237	Langton Road, Norton	22 nd July 2016	P W Clark	DL72: Affordable housing policies being drafted to generate a benefit, rather than to ward off a harm or to be needed in mitigation
CD12.35	3282908	Hawkhurst, Kent	22 nd March 2022	Jonathan Manning	DL118: Affordable housing does not constitute a 'generic' benefit to housing schemes
CD12.36	3296426	Radwinter Road, Saffron Walden	5 th October 2022	C Masters	DL68: Importance of affordable housing and self/custom build housing DL78: Affordable and custom-build housing carrying individually substantial weight in the planning balance
CD12.37	3191477	Park Road, Coalpit Heath	6 th September 2018	Nick Fagan	DL61: Affordable and custom build housing at policy compliant levels that carry substantial weight in the planning balance
CD12.38	3274818	Land off Ashland Road West, Sutton in Ashfield	13 th December 2021	Andrew Dawe	DL85: Weight to be attributed to affordable housing

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CD12.45	3340461 (appeal)	Oakamoor Road, Cheadle	17 January 2025	A J Mageean	Relevant in terms of terms of the weight to be afforded to policies relating to the spatial strategy and the delivery of housing / H1, SS2 and SS10 (DL95), impact on landscape and visual character & compliance with Policy DC3 (DL54, 59, 60 & 96), compliance with Policy DC2 and harm to the significance of heritage assets (DL33, 34 & 96), local services and infrastructure (DL74 – 76), benefits of and weight attributed to open market and affordable housing delivery (DL98) and overall planning balance (DL101 – 104).
CD12.46	3340461 (costs)	Oakamoor Road, Cheadle	17 January 2025	A J Mageean	Relevant in context of the appeal decision (CD12.45)
CD12.47	3214451 3214498	Hepworth Road, Woodville	25 June 2019	Harold Stephens	DL25: Not yet a shortfall DL48 Substantial weight
CD12.48	3241879	Corner Mead, Newland Lane	23 July 2020	Dave Richards	DL52: Council has not satisfactorily demonstrated that it has granted enough permissions to meet the need identified ... attach substantial weight to this benefit
CD12.49	3255350	Church Lane, Whittington	20 November 2020	L Page	DL04: Significant undersupply in the second base period Substantial weight
CD12.50	3265465	The Causeway, Steventon	28 August 2021	Andrew McGlone	DL26: BP3 – 73 shortfall but with 6 months left until 30 Oct ... Proposal would be of substantial benefit
CD12.51	3265925 3265926	Roundhouse Far, Bullen's Green Lane, Colney Heath	14 June 2021	C Masters	DL:51 Evidence presented demonstrated statutory duty not met in either authority, some period by a significant margin. DL52: Substantial weight
CD12.52	3274197	Brock Cottage, Brize Norton	11 July 2022	Jonathon Parsons	DL23: it can only be concluded that there is a substantial shortfall in provision during

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					<p>the different periods. In summary, two SBCH dwellings would make a small, albeit valuable contribution, to meeting demand, if it was secured by the UU.</p> <p>DL28: (re:UU) the obligation requirements would ensure provision of SBCH based on the evidence before me.</p>
CD12.53	3296353 3300240	Walton Hall, Chapel Lane	08 September 2022	D M Young	DL06: Not met duty to have issued sufficient permissions to meet demand from Base Periods 1, 2 and 3 ... In the light of the shortfall in provision the need to increase the supply of self and custom-build housing is an important planning consideration which must carry substantial weight.
CD12.54	3303868	Lodge Lane and Burtons Lane, Little Chalfont	08 March 2023	Stephen Wilkinson	DL140: [LPA] accepts that there is an unmet need of 347 units for the period 2016-2021 DL142: substantial weight
CD12.55	3309281 3314990	Land Adjoining Pondview, Sturt Green, Holyport, Berkshire	17 April 2023	K Savage	DL27: a shortfall of some 318 units DL31: against a very substantial and acknowledged shortfall, the proposals for four SBCH plots, which would be secured through the submitted UUs, must merit very significant favourable weight in the planning balance.
CD12.56	3316136	West of Suffolk House, Norton	27 June 2023	D Wallis	DL13: there is an actual shortfall of self-build and custom dwellings of a minimum of 133 units DL21: the tilted balance is engaged and the planning benefits of providing 9 self-build units, in light of an identified shortfall, would be substantial.

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CD12.57	3282234	Land at St. Peters Street, Caxton	01 August 2023	David Nicholson	DL24: the need to increase the supply of self-build opportunities should carry substantial weight. DL25: substantial weight
CD12.58	3335737	Land adjacent to 110 Ribchester Road, Clayton Le Dale	01 May 2024	Alison Partington	DL12: Demand is evidenced not by the number of people on the register at any one time but by the number of entries added to the register in each base period. Whilst authorities may remove individual details from the register, the number of entries remains the same, and retrospective removal of an entry does not reduce the demand figure. DL17: substantial weight to 1 dwelling
CD12.59	3340441 3340449	Land adjacent to Langton Hall, West Langton	28 August 2024	Zoe Raygen	DL44: a very large deficit. The provision of two plots as self-build and custom housing therefore attracts substantial weight. DL45: economic benefits due to the construction of the plots and purchase of materials
CD12.60	3346928	Land at Barnet Land and Furzehill Road, Borehamwood, Hertfordshire	27 November 2024	David Wildsmith	DL98: the appeal proposal would address 86% of the Council's current Base Period requirement of 7 plots ... substantial weight