

Tetlow King Planning - Affordable Housing evidence produced for S78 appeals 2014-2021

Ref no.	Appeal	LPA & LPA reference	Main reasons for refusal by LPA / Main Issues	Greenfield or PDL	Total dwellings	AH policy requirement	% of AH units to be delivered	No. of AH units	Decision	Decision date
1	Land between Leasowes Rd & Laurels Rd, Offenham APP/H1840/A/13/2203924	Wychavon District Council W/13/00696/PN	<ul style="list-style-type: none"> • Outside settlement boundary and lacks connectivity to main built-up part of the village. • Lack of open space. • Out of character with surrounding area. • No legal agreement secured. 	Greenfield	50	40%	40%	20	Allowed	07 February 2014
2	Land north of Upper Chapel, Launceston APP/D0840/A/13/2209757	Cornwall Council PA13/04056	<ul style="list-style-type: none"> • Increase in traffic. • LPA can demonstrate 5YHLS so release of greenfield site not appropriate. • No legal agreement secured. 	Greenfield	100	40%	40%	40	Allowed	11 April 2014
3	Beachley Road, Sedbury APP/P1615/A/14/2220590	Forest of Dean Council P1792/13/OUT	<ul style="list-style-type: none"> • Development on prominent unallocated site would represent substantial extension of built-up area. • Intrusion into open countryside, diminishing its value as a green wedge separating two parts of the settlement. 	Greenfield	110	40%	40%	44	Allowed	30 October 2014
4	Land surrounding Sketchley House, Burbage APP/K2420/A/13/2208318	Hinkley and Bosworth Council 13/00529/OUT	<ul style="list-style-type: none"> • Proposal will result in adverse urbanising effect on the landscape, resulting in harm to the intrinsic character of the countryside. • Increase in vehicular traffic will result in an adverse impact upon amenity of nearby occupiers. 	Greenfield	135	20%	40%	54	Allowed	18 November 2014
5	Land off Hind Heath Road, Sandbach APP/R0660/A/14/2212992	Cheshire East Council 13/3887C	<ul style="list-style-type: none"> • Site is located within open countryside involving the loss of the best and most versatile agricultural land. 	Greenfield	100	30%	30%	30	Allowed	01 August 2014
6	Land off Crewe Road, Haslington APP/R0660/A/14/2213304	Cheshire East Council 13/4301N	<ul style="list-style-type: none"> • LPA can demonstrate 5YHLS and the proposal will result in the loss of the 'best and most versatile agricultural land'. 	Greenfield	250	30%	30%	74	Allowed	15 August 2014
7	Scott Elm Drive, Weston-super-Mare APP/D0121/A/14/2223975	North Somerset Council 13/P/2409/O	<ul style="list-style-type: none"> • Proposal would result in loss of site allocated for employment use. • Applicant failed to provide satisfactory evidence of marketing for the site. 	Greenfield	72	30%	30%	22	Allowed	18 March 2015
8	Land at Firlands Farm, Burghfield Common APP/W0340/A/14/2228089	Berkshire District Council 14/01730/OUTMAJ	<ul style="list-style-type: none"> • Located within open countryside. • Harmful and intrusive development beyond green gap. • No legal agreement secured. • Not demonstrated that proposal would not unnecessarily sterilise the mineral resources beneath the site. 	Greenfield	129	40%	40%	36	Allowed	06 July 2015
9	Land adjacent to Cornerways, Twynning APP/G1630/W/14/3001706	Tewksbury Borough Council 13/00978/FUL	<ul style="list-style-type: none"> • Proposal would represent significant encroachment into open countryside. • Lack of affordable housing. • No legal agreement secured. 	Greenfield	58	35%	36%	21	Allowed	13 July 2015
10	Land off Campton Rd, Shefford, Bedfordshire APP/P0240/A/14/2228671	Central Bedfordshire Council CB/14/01726/OUT	<ul style="list-style-type: none"> • Outside settlement boundary, causing harm to character and appearance of the area. • Unacceptable impact on school places. • No legal agreement secured. 	Greenfield	140	30%	35%	49	Allowed	02 September 2015

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11	Land at Fountain Lane, Davenham, Cheshire APP/A0665/A/14/2226994	Cheshire West and Chester Council 14/02130/OUT	<ul style="list-style-type: none"> Outside settlement boundary and therefore unsustainable form of development. 	Greenfield	70	30%	30%	21	Allowed	03 September 2015
12	Land rear of 62 Iveshead Road, Shepshed APP/X2410/W/15/3007980	Charnwood Borough Council P/14/0777/2	<ul style="list-style-type: none"> Proposal not well designed as the AH dwellings are clearly distinguishable from the market dwellings. Proposal dominated by larger properties, not reflecting local need. Proposed dwelling heights out of character with area. Impact upon amenity of existing neighbouring dwellings. 	Greenfield	77	20%	30%	23	Allowed	08 February 2016
13	Land South of Le Neubourg Way, Gillingham, Dorset APP/N1215/W/15/3005513	North Dorset District Council 2/2014/0916/OUT	<ul style="list-style-type: none"> Proposal would be harmful to the visual amenity and enjoyment of the countryside. Impact upon amenity of neighbouring residents. Harm towards protected species and habitats. No legal agreements secured. Impact upon living conditions of potential future residents in terms of odour and pollution. 	Greenfield	120	25%	25%	30	Dismissed	01 March 2016
14	Land at Waterloo Rd, Bidford-on-Avon APP/J3720/W/15/3089709	Stratford-on-Avon District Council 14/03027/OUT	<ul style="list-style-type: none"> Impact upon highways network in terms of congestion. Loss of Grade 2 agricultural land. Lack of capacity at existing education and healthcare facilities. Conflict with 'distribution of development' policies. 	Greenfield	200	35%	35%	70	Allowed	20 June 2016
15	Land off Darnhall School Lane, Winsford APP/A0665/A/14/2212671	Cheshire West and Chester Council 13/03127/OUT	<ul style="list-style-type: none"> Refused on the grounds of prematurity as the Winsford Development Plan is being prepared but not yet adopted. As such, approval was considered premature. 	Greenfield	184	30%	40%	74	Dismissed** Inspector allowed appeal. SoS dismissed appeal. High Court quashed and then SoS dismissed on redetermination.	07 July 2016 & 04 November 2019
16	Land East of Low Lane, Badshot Lea APP/R3650/W/15/3136799	Waverley Borough Council WA/2014/0125	<ul style="list-style-type: none"> Harm to the character and setting of the existing settlement and countryside. Inappropriate location within a strategic green gap. Impact upon flooding. Pollution impact of adjacent sewage pumping station. No legal agreement secured. 	Greenfield	30	30%	40%	12	Dismissed	10 August 2016
17	Land at Foldgate Lane, Ludlow Shropshire APP/L3245/W/15/3137161	Shropshire Council 14/04608/OUT	<ul style="list-style-type: none"> Outside settlement boundary. Impact upon visual amenity of open countryside. 	Greenfield	137	15%	25%	34	Allowed	10 November 2016
18	Land at Mitchelswood Farm, Allington Road, Newick, Lewes APP/P1425/W/15/3119171	Lewes District Council LW/14/0703	<ul style="list-style-type: none"> Despite the Council not having a 5YHLS. Development was considered to conflict with the emerging NP which did not allocate this site for housing. 	Greenfield	50	40%	40%	20	Dismissed** Inspector & SoS allowed appeal. High Court quashed and then SoS dismissed on redetermination.	23 November 2016 & 16 January 2021

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19	Land to the north west of Boorley Green, Winchester Road, Boorley green, Eastleigh APP/ W1715/W/15/3130073	Eastleigh Borough Council O/15/75953	<ul style="list-style-type: none"> Inappropriate location within strategic green gap. Impact upon road safety and traffic congestion. No legal agreement secured. 	Greenfield	680	35%	35%	238	Allowed	30 November 2016
20	Land west of Shilton Rd, Burford APP/D3125/W/15/3139687	West Oxfordshire District Council 15/00166/OUT	<ul style="list-style-type: none"> Unsustainable location which would be heavily reliant on private car use. Proposal not considered to promote or reinforce local distinctiveness. No legal agreement. 	Greenfield	91	50%	50%	45	Allowed	17 January 2017
21	Land at Kestrel Close and Beechfields Way, Newport APP/C3240/W/16/3144445	Telford and Wrekin Council TWC/2015/1003	<ul style="list-style-type: none"> Outside settlement boundary. Impact upon habitats and protected species. Impact upon highway network. Harm towards character and appearance of wider landscape. Insufficient information submitted regarding acceptable living standards in relation to pollution. 	Greenfield	170	35%	35%	60	Dismissed	21 March 2017
22	Land to south & west of Whitworth Way, Wilstead, Bedfordshire APP/K0235/W/16/3147287	Bedford Borough Council 15.02712/MAO	<ul style="list-style-type: none"> Unsustainable location within open countryside. Proposal would result in an urbanising built form, eroding the rural character of the area. Lack of open play space. Impact upon adjacent wildlife site. Lack of affordable housing provision. 	Greenfield	70	30%	40%	28	Allowed	29 March 2017
23	Land north of Oldmixon Rd Weston-Super-Mare APP/D0121/W/16/3150985	North Somerset Council 16/P/0150/O	<ul style="list-style-type: none"> Outside settlement boundary. Harmful to rural landscape and quality of the area. No legal agreement secured. 	Greenfield	150	30%	30%	45	Allowed	10 April 2017
24	Land adjacent to & rear of Adari Tattenhall APP/A0665/A/12/2180958	Chester West and Chester Council 12/02032/OUT	<p>LPA recommended approval subject to further negotiations in terms of S106 requirements. The proposal went to non-determination appeal. However, the strategic planning committee would have refused the application for:</p> <ul style="list-style-type: none"> Urbanising effect of rural area. Not considered to represent sustainable development. 	Greenfield	68	30%	40%	27	Dismissed** Inspector recommended approval, dismissed by SOS	21 April 2017
25	Land north of Moorfields, Willaston, Crewe APP/R0660/W/15/3135683	Cheshire East Council 14/0365	<p>Non determination appeal.</p> <p>*Main issues:</p> <ul style="list-style-type: none"> Outside settlement boundary within green gap. Loss of high-quality agricultural land. 	Greenfield	146	30%	30%	44	Allowed	14 June 2017
26	Land to the South of Braintree Road, Felsted, Essex APP/C1570/W/16/3156864	Uttlesford District Council UTT/16/0287/OP	<ul style="list-style-type: none"> Outside settlement boundary. Harmful to setting and character of countryside. Impact upon adjacent conservation area. Loss of high-quality agricultural land. No legal agreement secured. 	Greenfield	55	40%	40%	22	Dismissed	11 July 2017
27	Land at corner of Oving Rd, Chichester APP/L3815/W/16/3165228	Chichester District Council 16/02254/OUT	<p>Non determination appeal.</p> <p>*Main issues:</p> <ul style="list-style-type: none"> Outside settlement boundary. Harmful to setting and character of countryside. 	Greenfield	100	30%	30%	30	Allowed	18 August 2017

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28	Land off Driffield Rd, Lydney, Gloucs APP/P1615/A/14/2218921RD	Forest of Dean P1284/13/OUT	<ul style="list-style-type: none"> Outside settlement boundary. Harm to rural character and appearance of the area. 	Greenfield	200	40%	40%	80	Allowed	07 November 2017
29	Land to the North of Pound Lane, Semington, Wiltshire APP/&3940/W/16/3162997	Wiltshire Council 16/05783/OUT	<ul style="list-style-type: none"> Outside settlement boundary. Disproportionate to existing village. Harm to character and appearance of rural area. 	Greenfield	75	30%	40%	30	Dismissed	14 December 2017
30	Land to East of Benson Lane, Crowmarsh Gifford, Wallingford APP/Q3115/W/17/3186858	South Oxfordshire District Council P16/S3608/0	<ul style="list-style-type: none"> Harm to character and distinctiveness of the area. Lack of capacity at existing schools. Loss of Grade 2 agricultural land. No legal agreement secured. 	Greenfield	150	40%	40%	60	Allowed	29 May 2018
31	Land east of Park Lane, Coalpit Heath, South Gloucestershire APP/P0119/W/17/3191477	South Gloucestershire Council PT17/0215/O	<ul style="list-style-type: none"> Adverse impact on landscape. Loss of high-quality agricultural land. No legal agreement secured. 	Greenfield	215	35%	35%	75	Allowed	06 September 2018
32	Land at Deerlands Road, Wingerworth APP/R1038/W/17/3192255	North East Derbyshire District Council 17/00268/OL	<ul style="list-style-type: none"> Outside settlement boundary. Existing Sewage system cannot accommodate proposal. Lack of capacity at existing schools. Impact upon highways in terms of congestion. Unsustainable location with limited access to facilities. 	Greenfield	180	40%	40%	72	Allowed	19 November 2018
33	Land off Stafford Road, Penkridge APP/C3430/W/18/3213147	South Staffordshire Council 17/01022/OUT	<ul style="list-style-type: none"> Outside settlement boundary. 	Greenfield	200	40%	40%	80	Allowed	03 May 2019
34	Land off Meadow Lane/ Chessington Crescent, Trentham, Stoke-on-Trent APP/M3455/W/18/3204828	Stoke-on-Trent Council 57901	<ul style="list-style-type: none"> Impact upon highways network in terms of highway safety and congestion. 	Greenfield	227	25%	25%	57	Allowed	24 June 2019
35	Land to rear of former Dylon International Premises, London APP/G5180/W/18/3206569	London Borough of Bromley 18/01319/FULL1	<p>Non determination appeal.</p> <p>*Main issues:</p> <ul style="list-style-type: none"> Inappropriate development on Metropolitan Open Land. Loss of openness. Harm to character and appearance of surrounding area. 	PDL / Greenfield	151	35%	35%	52	Allowed	26 June 2019
36	Land at site of former North Worcestershire Golf Club APP/P4605/W/18/3192918	Birmingham City Council 2017/02724/PA	<ul style="list-style-type: none"> Outside settlement boundary and not allocated for development. Masterplan fails to pay regard to constraints such as ecology, trees. 	Greenfield / PDL (part)	800	35%	35%	280	Allowed	24 July 2019
37	Land west of Parsonage Road, Takeley, Essex APP/C1570/W/19/3234530	Uttlesford District Council UTT/19/0393	<ul style="list-style-type: none"> Site is located within a countryside protection zone. No legal agreement secured. 	Greenfield	119	40%	40%	48	Allowed	31 January 2020

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38	Oxford Brooks University, Wheatley Campus, College Road, Oxford APP/Q3115/W/19/3230827	South Oxfordshire District Council P17/S4254/O	<ul style="list-style-type: none"> Impact upon openness of Green Belt. Impact upon heritage assets. Lack of access to sustainable transport options. No legal agreement secured. 	PDL / Greenfield	500	40%	35% Eligible for AH reduction due to Vacant Building Credit	173	Allowed	23 April 2020
39	Land north of Nine Mile Ride, Finchampstead, Berkshire APP/X0360/W/19/3238048	Wokingham Borough Council 181685	<ul style="list-style-type: none"> Erosion of an important green gap. Loss of gypsy and traveller pitch. Impact upon character and appearance of landscape. Impact upon ecology and biodiversity. Unnecessary recreational pressure on the Thames Basin Heaths Special Protection Area. 	Greenfield	118	50%	50%	59	Dismissed	9 April 2020
40	Land at Pear Tree Lane, Euxton, Chorley APP/D2320/W/20/3247136	Chorley Borough Council 19/00654/OUTMAJ	<ul style="list-style-type: none"> Proposal would be located within an area of Safeguarded Land. 	Greenfield	180	30%	30%	54	Allowed	11 August 2020
41	Land North of Viaduct, adjacent to Orchard Business Park, Ledbury APP/W1850/W/20/3244410	Herefordshire Council 171532	<p>*Whilst not a non-determination appeal, the LPA withdrew the reasons for refusal prior to the SoS decision.</p> <p>Main issues:</p> <ul style="list-style-type: none"> Unsatisfactory vehicular access. Impact upon character and tranquillity of AONB. Increase in vehicular movements and congestion. 	Greenfield	625	40%	40%	250	Allowed **Allowed by SoS	15 March 2021

* Non determination appeal – Inspector’s ‘main issues’ included instead.

** Application went on to be redetermined by SoS or High Court.

Total number of affordable dwellings delivered	2,583
Total number of dwellings delivered	7,282

Allowed	33 / 41
Allowed/Recommend by inspector	36 / 41
Dismissed	8 / 41
Dismiss / Recommended refusal by Inspector	5 / 41

Success Rate	80.5%
Allowed by inspectors	88%