

Affordable Housing as a Separate Material Consideration

Appendix AG6

- 6.1 Regarding the weight to be attached to the proposed affordable housing benefits at the appeal site, as I set out in my Affordable Housing Hearing Statement, the need is acute, the benefits are considerable, and the weight in the planning balance should be **very substantial**. Affordable housing is a material benefit and should therefore be awarded its own weight in the planning balance.
- 6.2 Many appeal decisions issued by Inspectors and the Secretary of State (“SoS”) have recognised affordable housing as an individual benefit and have specifically awarded affordable housing provision its own weight in the planning balance. Some examples are summarised below.

Appeal Ref.	Site Name	Decision Type	Decision	Date	Para Ref.	Weight to Affordable Housing	Paragraph Text
APP/F2360/W/22/3295498 and APP/F2360/W/22/3295502	Pickering’s Farm Site, Flag Lane, Penwortham, Lancashire	SoS	Allowed	20-Nov-23	25	Significant	<i>"For the reasons given at IR343 the Secretary of State agrees that the delivery of a total of some 1,100 homes in a mix of sizes is a significant benefit, to which he gives significant weight. <u>He further agrees that the delivery of affordable housing would be a benefit carrying significant weight.</u>"</i>
APP/C2741/W/21/3282598	Land to the East of New Lane, Huntington, York	SoS	Allowed	17-Oct-23	44	Very significant	<i>"He further agrees that <u>the provision of 30% affordable housing, of a tenure and size to be agreed, would also be a very significant benefit of the scheme (IR380).</u>"</i>
APP/Q3115/W/22/3296251	Land off Papist Way, Cholsey, Oxfordshire	SoS	Dismissed	10-Oct-23	26	Significant	<i>"For the reasons given at IR359 and IR390, the Secretary of State agrees that <u>the benefits of affordable housing which the proposal would provide would comply with SOLP policy H9 and should be afforded significant weight.</u>"</i>
APP/C1570/W/21/3289755	Land East of Highwood Quarry, Park Road, Little Easton, Dunmow	SoS	Allowed	11-Sep-23	34	Great	<i>"For the reasons given at IR535 he agrees that <u>the delivery of affordable housing is a benefit of great weight.</u>"</i>
APP/L5240/W/22/3296317	103-111a High Street, Croydon	SoS	Dismissed	06-Apr-23	25	Significant	<i>"For the reasons given at IR153 and IR168, the Secretary of State agrees with the Inspector that affordable housing delivery is a priority, and like the Inspector, <u>he affords the provision of affordable dwellings significant beneficial weight (IR153).</u>"</i>
APP/C2741/W/21/3282969	Site to the West of The A1237 and South of North Lane, Huntington, York	SoS	Allowed	14-Dec-22	27	Significant	<i>"For the reasons given at IR178 and IR196, <u>the Secretary of State agrees that delivery of 30% affordable housing would be a further social and economic benefit to which significant weight should be attached.</u>"</i>

APP/M0655/W/17/3178530	Land at Peel Hall, Warrington	SoS	Allowed	09-Nov-21	24	Very substantial	" He further agrees (IR524) that <u>the provision of affordable housing attracts very substantial weight</u> , for the reasons given."
APP/A2280/W/20/3259868	Land off Pump Lane, Rainham, Kent	SoS	Dismissed	03-Nov-21	33	Substantial	"...The Secretary of State considers that the weight to be afforded to the delivery of housing in the light of the housing land supply shortfall is substantial (all IR12.201). Similarly, the Secretary of State agrees at IR12.202 that for the reasons given there is an acute need for affordable housing and in light of that, <u>the delivery of at least 25% of the residential units as affordable accommodation attracts substantial weight.</u> "
APP/W1850/W/20/3244410	Land North of Viaduct adj. Orchard Business Park, Ledbury	SoS	Allowed	15-Mar-21	27	Substantial	"For the reasons given in IR16.122-16.123, the <u>Secretary of State also gives substantial weight to the delivery of affordable housing.</u> "
APP/Y0435/W/17/3169314	Newport Road and Cranfield Road	SoS	Dismissed	25-Jun-20	32	Significant	"Weighing in favour of the proposal, <u>the Secretary of State affords the provision of affordable housing significant weight</u> and also affords the provision of market housing significant weight."
APP/E5330/W/19/3233519	Land at Love Lane, Woolwich	SoS	Dismissed	03-Jun-20	28	Substantial	"The Secretary of State considers that, in terms of benefits, <u>the provision of housing benefits and affordable housing benefits each carry substantial weight.</u> "
APP/Q3115/W/19/3230827	Oxford Brooks University, Wheatley Campus	SoS	Allowed	23-Apr-20	35	Very substantial	35 "...Given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, he agrees with the Inspector at IR13.111, <u>that the delivery of up to 500 houses, 173 of which would be affordable, are considerations that carry very substantial weight.</u> " IR 13.111 " <u>The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded very substantial weight irrespective of the fact that the Council can demonstrate a 3/5YHLS.</u> "
APP/G1630/W/18/3210903	Land at Fiddington, Ashchurch near Tewkesbury	SoS	Allowed	22-Jan-20	20	Substantial	"...The Secretary of State agrees with the Inspector, and further considers that <u>the provision of affordable housing in an area with a serious shortfall would be of significant benefit and attracts substantial weight in favour of the proposal.</u> "
APP/A0665/W/14/2212671	Darnhall School Lane	SoS	Dismissed	04-Nov-19	28	Substantial	"The Secretary of State agrees that the social benefits of <u>the provision of affordable housing should be given substantial weight</u> , for the reasons set out at IR408-411."

APP/P4605/W/18/3192918	Former North Worcestershire Golf Club, Hanging Land, Birmingham	SoS	Allowed	24-Jul-19	33	Significant	<i>30 "Weighing in favour the <u>Secretary of State considers that the 800 family homes, including up to 280 affordable homes is a benefit of significant weight.</u>"</i>
APP/E2001/W/18/3207411	Hutton Cranswick	Inspector	Dismissed	05-Jun-19	39	Significant	<i>"However, aside from the provision of affordable housing (to which I attach significant weight), the provisions are essentially intended to mitigate the effect of the development-although they could be of some benefit to the wider public, and I have therefore given them very limited weight."</i>
APP/P0119/W/17/3191477	Coalpit Heath, South Gloucestershire	Inspector	Allowed	06-Sep-18	61	Substantial	<i>"There are three different components of the housing that would be delivered: market housing, affordable housing (AH) and custom-build housing(CBH). <u>They are all important and substantial weight should be attached to each component for the reasons raised in evidence by the appellants, which was not substantively challenged by the Council, albeit they all form part of the overall housing requirement and supply. The fact that the much needed AH and CBH are elements that are no more than that required by policy is irrelevant –they would still comprise significant social benefits that merit substantial weight.</u>"</i>
APP/L3815/W/16/3165228	Land at the Corner of Oving Road and A27, Chichester	Inspector	Allowed	18-Aug-17	63	Substantial	<i>"Moreover, the provision of 30% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need for affordable housing in the District. <u>Consequently I attach substantial weight to this element of the proposal.</u>"</i>
APP/P1425/W/15/3119171	Mitchelswood Farm, Newick, Lewes	SoS	Allowed	23-Nov-16	18	Significant	<i>"For the reasons given at IR196-201 the Secretary of State agrees that <u>the provision of 20 affordable homes is a tangible benefit of significant weight.</u>"</i>
APP/G1630/W/14/3001706	Cornerways, High Street, Twynning	Inspector	Allowed	13-Jul-15	63	Very substantial	<i>"...Table 7.16 of the Strategic Housing Market Assessment [SHMA] Update [CDA17] identifies that the net annual need for affordable housing in Tewkesbury is 587 dwellings. This is more than twice the equivalent figure for the neighbouring District of Wychavon, despite the fact that Tewkesbury's population is little more than two thirds of that in Wychavon. <u>The Inspector in the Wychavon appeal found that the provision of affordable housing in that case: "...is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission"; the Secretary of State agreed.</u> Given the much larger quantum of identified need in Tewkesbury and the magnitude of the accumulated shortfall in affordable housing delivery, it would be appropriate to attribute very substantial weight to this important benefit of the proposal."</i>
APP/E2001/A/13/2200981 and APP/E2001/A/14/221394	Brickyard Lane, Melton Park, East Riding	SoS	Dismissed	25-Jun-15	11	Substantial	<i>"However, he also agrees with the Inspector's conclusion that <u>substantial weight should attach to the proposals in proportion to the contribution they would make to the supply of affordable housing.</u>"</i>

APP/K2420/A/ 13/2208318	Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire	SoS	Allowed	18-Nov-14	13 / IR 6.19	Substantial	<p>13. "For the reasons given at IR11.20-IR11.23, the Secretary of State agrees with the Inspector's findings in relation to affordable housing, and with his conclusion at IR11.23 that the need for affordable housing is acute and warrants the provision offered by the appeal proposal."</p> <p>IR 6.19 "In those circumstances, there is no reason to depart from the statutory basis to providing for affordable housing set out in policy 15 of the Core Strategy. The policy takes account of the needs identified in the SHMA (2008) and was found to be sound by the Core Strategy Inspector. Hence, although <u>substantial weight should be given to the affordable housing</u> offered, that weight should not be overwhelming."</p>
APP/H1840/A/ 13/2199085 and APP/H1840/A/ 13/2199426	Pulley Lane, Droitwich Spa	SoS	Allowed	02-Jul-14	23 / IR 8.126	Very significant	<p>23. "For the reasons given at IR8.112-8.126, the Secretary of State agrees with the Inspector's conclusion at IR8.127 that the Council does not have a 5-year supply of housing land and the appeal scheme is necessary to meet the housing needs of the district, including the need for affordable housing."</p> <p>IR 8.126 "It seems to me that the Council has largely ignored the affordable housing need in its evidence. The poor delivery record of the Council has also been largely overlooked. The Council's planning balance is struck without any apparent consideration being given to one of the most important reasons why housing in Droitwich Spa is needed. <u>From all evidence that is before me the provision of affordable housing must attract very significant weight in any proper exercise of the planning balance.</u>[4.47]"</p>