

CD 6.7.1

Preface Note

High Court Judgment

William Davis Limited and others v Charnwood Borough Council [2017] EWHC 3006 (Admin)

The Judgment is relevant because it confirms that decision-maker cannot apply Guidance (in the form of a Supplementary Planning Document) as Policy.

The key propositions are: the Council's reliance on its 2004 SPG (pre-dating SPDs) to create affordable housing policy in the Green Belt beyond Green Belt Settlements (Policy 8).

Key paragraph: 64